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ABSTRACT

Three key political decisions made in Tennessee higher education that have brought about major changes in structure and have implications for the future are discussed. The decisions are: creation of the Tennessee Higher Education Commission (THEC) in 1967, the creation of the State Board of Regents (SBR) in 1972, and the establishment of the second publicly-supported medical school in 1974. In examining the decisions, it is important to consider where the political power structure existed prior to the decisions and the source of that power. The THEC is a coordinating board consisting of nine lay board members appointed by the Governor and representing each congressional district. They coordinate the state-supported universities, community colleges, and technical institutes. The SBR is a lay board consisting of 11 public members appointed by the Governor and four ex-officio members and is responsible for the operation of 6 universities and 10 community colleges. The second medical school is part of East Tennessee State University in Johnson City, Tennessee, and its primary emphasis is on training family practice physicians to practice in underserved areas of the state. The history of these three developments is detailed in the report's three chapters. Policy statements and the text of state legislation concerning these decisions are appended. (SW)

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THE IMPORTANCE AND IMPACT OF THREE SIGNIFICANT POLITICAL DECISIONS UPON HIGHER EDUCATION IN TENNESSEE

BY
YVONNE WOOD

CB50-YW184

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INTRODUCTION

Politics and public policy affect every level of education, and higher education in Tennessee is no exception. There have been three key political decisions made in higher education in Tennessee during the past few years which have brought about major changes in the structure. These decisions represented important implications for the future course of higher education. Examining the reasons, personalities, and forces behind these decisions may reveal why it was thought necessary to make such dramatic changes in Tennessee's higher education system. These three decisions are: the creation of the Tennessee Higher Education Commission (THEC) in 1967, the creation of the State Board of Regents (SBR) in 1972, and the establishment of the second publicly-supported medical school in 1974.

The THEC is a coordinating board consisting of nine lay board members appointed by the Governor, representing each congressional district. They coordinate the state-supported universities, community colleges, and technical institutes.

The SBR is a lay board consisting of eleven public members appointed by the Governor and four ex-officio members--the Governor, the Commissioner of Agriculture, the Commissioner of Education, and the Executive Director of the Tennessee Higher Education Commission who serves as a non-voting member. The General Assembly has continued to pass legislation every three years since the creation of the SBR making it possible for former Commissioner of Education,

J. Howard Warf, to be a member of the State Board of Regents. The SBR is responsible for the operation of six universities and ten community colleges.

The second medical school is part of East Tennessee State University in Johnson City, Tennessee, and its primary emphasis is on training family practice physicians to practice in underserved areas of the state.

A few political decisions are well thought out and planned over time, but most simply evolve because of the efforts of competing interests. Most often the way decisions are made is affected greatly by the personalities and values of the players involved. Some decisions are incremental, one block built upon another, although not necessarily in an orderly way. In the political arena, practically every decision is a response to some perceived problem or change that has occurred.

The creation of the SBR and the THEC could be characterized as decisions which were the result of planned changes essentially begun in the executive branch to address emerging problems within the existing structure. The second medical school decision evolved as a result of certain interests competing against one another and a perceived unmet need. All three actions had some combination of the various methods of governmental decision making.

Tennessee's political system is a fascinating one which is basically an input and output system. The decision makers (the Governor and the Legislature) receive information which is ultimately converted into political actions. Prior to the creation of the THEC, there were pressures on the policy and decision

makers from the "have-not" colleges against the "haves" who were consistently successful in capturing the largest share of the available public funds each year.

In response to these pressures, Governor Buford Ellington stated in his first "State of the State" address in 1967 the time had come to find a better way to approach the distribution of the total state budget among the competing interests--corrections, public health, mental health, education, higher education, etc. Part of that plan included finding a way which was more systematic and equitable to distribute higher education funding. Further, a different approach was needed to limit the expansionism of the colleges and universities since many were beginning to want to offer many different kinds of graduate programs. In 1959-60, there were 2,600 graduate students enrolled in Tennessee public universities, 4.900 were enrolled in 1964-65, by 1970 there were 9,900.

Political decisions in Tennessee evolve from two informational worlds; the information world from outside the system and the information world from inside the system. When these two worlds meet in confrontation, the decisions are made based upon the input from those two systems.

Karl Deutsch said that the "art of statesmanship consists in recognizing the limits to decision making at a particular time and place and making the most of the opportunities within those limits."[1] All kinds of people participating in the process had different needs, orientations, and preferences, and each tried to make his or her preference prevail. Some had enough power to compel some consideration. The decision makers recognized these preferences and needs and worked within these limits to accomplish their goals.

It is clear that these three political decisions were not mere modest short-term changes or arrangements but were long-term, significant changes and, therefore, were threatening to some while welcomed by others, depending upon their position or status. The deliberations and events preceding the legislation accomplishing these three changes on the higher education scene should reveal many interesting aspects of how decisions are made in the political arena in Tennessee; who the major participants are; what trends are evident; and what impact these decisions have had upon the overall state of higher education in Tennessee.

Ideally, deliberations about political decisions of such magnitude should be carried out by wise persons impartially seeking the common good. Practically, however, special interests and selfish thoughts creep into the decision-making process. If that were not the case, politicians would not be representative of most of the people they represent. Because of this, the THEC and the SBR evolved differently through the legislative process than the planners originally had designed the plan. The second medical school developed into one of the most volatile and far-reaching vote-swapping schemes the Tennessee General Assembly has ever seen.

To make such important educational changes, the various proponents of the two new boards and the new medical school had to mobilize, organize, and unify their forces. The end result, in the case of the THEC and the SBR plans, was definitely compromise and concession. The second medical school moved through the process without much change in the original plan due to the determination and dedication of the proponents of the proposal.

In looking at these political decisions, it is important to examine where the political power structure existed prior to the decisions, and, also, what was the source of that power. Those power structures have shifted substantially since the time of those three decisions, and the changes in both structure and source of power are interesting to observe.

Chapter 1

THE TENNESSEE HIGHER EDUCATION COMMISSION IS CREATED

To understand why the Tennessee General Assembly passed laws creating the Tennessee Higher Education Commission in 1967, the State Board of Regents in 1972, and the East Tennessee State University Medical School in 1974, it is important to review the past. The events leading up to these decisions help to set the stage for them. The political forces and factors at work prior to these decisions were crucial to how and why the decisions were made.

Higher education in Tennessee has had an uphill climb against substantial odds since its beginning and has developed over the years without a great deal of planned design. Most of the early settlers in Tennessee were Scotch, Irish, and English who were people with some educational background. In their early efforts to organize a state government--the short-lived state of Franklin in 1784--they stated in the Constitution that one or more universities should be established but placed no obligation upon the state to do so.[2] The first positive step in establishing higher education in Tennessee was in 1794 when the Territorial Assembly granted a charter to Greeneville College, a private institution, and in 1795 to Blount College, the predecessor of the University of Tennessee, also private at the time.[3]

One of the major drawbacks to higher education in early Tennessee history was the split over whether higher education should be state supported or sectarian. The church-school supporters feared the non-church supported schools would be atheistic. The division between the group who believed that education was the responsibility of the state and those who believed it was the

responsibility of the family and church undoubtedly slowed the development of higher education in the state.[4]

Another drawback to higher education had to do with the needs of the early settlers. They lived in scattered settlements. The new country challenged the settlers physically, and education took second place in priority.

Prior to the Civil War, higher education was dominated by the upper economic class, causing some class hostility among the masses. The sentiment in the South toward colleges was expressed by Page as follows:

> The aim of all southern educational work before the war (1861) was to make gentlemen, not scholars, nor was it thought necessary to educate the masses. The commencements were great social occurrences of the year. The elite of all the South assembled for a week's gayety. Every notable family in every one of the states was always represented among the students.[5]

These forces undoubtedly influenced the lack of support of education for a long time in Tennessee history.

Another drawback to higher education's development in Tennessee was sectionalism, which has been promoted because of Tennessee's geography. East Tennessee was developed first and is separated from Middle Tennessee by the Cumberland Plateau, an area of rugged terrain which, in earlier days, made communication difficult. Middle Tennessee developed along different lines from East Tennessee because Middle Tennessee attracted wealthy investors and speculators who patterned themselves more like the life in Old Virginia and the Carolinas. This development was not especially conducive to the growth of democratic institutions.[6] This sectionalism became very apparent when the second medical school question was being debated and was one of the major factors involved in that discussion.

Despite these drawbacks, the interest in higher education remained alive in the minds of some of the early settlers.

In 1806 Congress gave 100,000 acres of public lands in Tennessee to the state, providing that interest from the sale of the lands be used by two colleges to be established by the Legislature. The first was Blount College, which was renamed East Tennessee College. The second was Davidson College located near Nashville, which later became known as Cumberland College. In 1846 West Tennessee College at Jackson was established from the sale of public lands also. Since no state funds were provided to operate the schools, only East Tennessee College, renamed the University of Tennessee in 1879, survived as a public institution. Cumberland College became the University of Nashville in 1826 and was taken over by Peabody College in 1875. It is now a part of Vanderbilt University in Nashville. West Tennessee College came under the control of the Baptist Church in 1875. It is interesting to note that the first state appropriation to higher education in Tennessee was in 1881 to the Peabody Normal School, a private school.[7]

The Morrill Act in 1862* began the flow of federal funds to the University of Tennessee and later to the Tennessee Agricultural and Industrial College, the college for blacks in Tennessee.[8]

The beginning of the Twentieth Century saw an awakening interest in public education, and this led to the General Education Bill of 1909, which was passed by the General Assembly.[9] The bill provided for the establishment of three

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*Morrill Act of 1862 provided states with land at the rate of 30,000 acres for each member of Congress to support state agricultural colleges.

normal schools for white teachers to be located in the three grand divisions of the state, and for the establishment of the Agricultural and Industrial Normal School for black teachers. The three white schools were located in Johnson City in East Tennessee, Murfreesboro in Middle Tennessee, and Memphis in West Tennessee. The A&I Normal School for Negroes was located in Nashville. This Act was very significant, since it provided aid to elementary education, high schools, and teacher training.

In 1915 the Legislature established the Tennessee Polytechnic Institute at Cookeville.[10A] The Austin Peay State Normal School and the University of Tennessee Junior College at Martin were established by the Legislature in 1927.[10B]

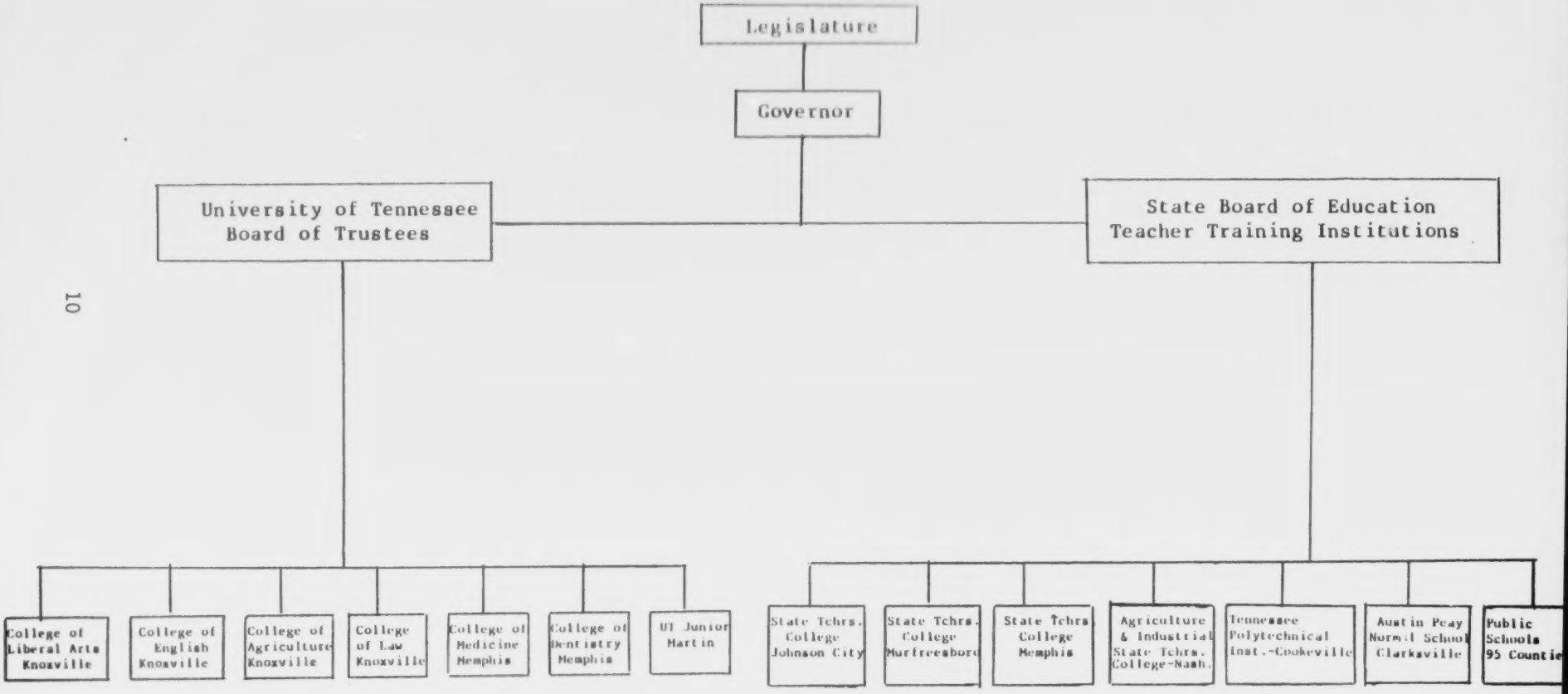
As Tennessee higher education evolved from this background, it developed under two types of governance, the University of Tennessee Board of Trustees and those institutions under the State Board of Education. See Exhibit 1.

The Governor appointed both Boards, but they operated independently. The public schools in the 95 counties and the teacher training schools were under the State Board of Education, while the University of Tennessee with its divisions and junior colleges was under the University of Tennessee Board of Trustees. This dual system of control was unique in the sense that all of the other major state-supported enterprises were better defined. For example, there was only one agency for highways, mental health, public health, etc., but education was different. There were overlapping programs and no coordination between the two boards of higher education at the time. Further, there was competition for students and appropriations among the institutions.[11] There existed no agency, group, or mechanism to coordinate higher education at the time.

EXHIBIT 1

TENNESSEE PUBLIC EDUCATION AND HIGHER EDUCATION

GOVERNANCE STRUCTURE - 1930


Legislature
Governor
University of Tennessee Board of Trustees
State Board of Education Teacher Training Institutions
College of Liberal Arts Knoxville
College of English Knoxville
College of Agriculture Knoxville
College of Law Knoxville
College of Medicine Memphis
College of Dentistry Memphis
UT Junior Martin
State Tchrs. College Johnson City
State Tchrs. College Murfreesboro
State Tchrs College Memphis
Agriculture & Industrial State Tchrs. College-Nash.
Tennessee Polytechnical Inst.-Cookeville
Austin Peay Normal School Clarksville
Public Schools 95 Counties

One of the most important aspects relating to any publicly-supported institution is the financial implication. By 1933 the "Great Depression" was being felt in Tennessee. The state faced a huge deficit. The General Assembly reduced annual expenditures by $7 million by slashing appropriations for higher education. State appropriations for higher education decreased more than 175 percent between 1930-31 and 1936-37, although enrollments increased by more than ten percent.[12]

By 1937 the state's economy began to recover, and its appropriations to higher education improved. When World War II was over and the GIs began to attend college, higher education appropriations improved significantly. Other factors affecting the improvement of Tennessee's economy were the creation of the Tennessee Valley Authority, the growing industrialization in the state, and the post-war expansion of the national economy.

It was clear in those years that the two major sources of income for higher education were state appropriations and student fees. Federal and private sources of income were only a small percentage of the total. Therefore, the competition for state appropriations by the colleges and universities was intense. It is also apparent that the size of enrollments and expenditures per student had no bearing upon allocations made by the state.[13] Cecil Humphreys in his dissertation published in 1958 stated:

> It is apparent that there was no effort by the state to base appropriations upon enrollments in the various institutions, and that if all students in the state institutions are to receive equitable treatment by the state that some system in which enrollments are considered will have to be adopted.[14]

What then were the considerations given to the institutions by the state for receiving their appropriations prior to the creation of the THEC in 1967?

Further, what was the power structure upon which political decisions in higher education were based, and what was the basis of that power? Interviews with Dr. Edward Boling, current President of the University of Tennessee and former Tennessee Commissioner of Finance and Administration; Dr. Cecil Humphreys, former President of Memphis State University and former Chancellor of the SBR; and J. Howard Warf, former Commissioner of Education and current member of SBR, have confirmed what was generally understood at the time: the state executive branch, primarily the Governor and his Commissioner of Finance and Administration, made those decisions when the annual state budget was prepared to be presented to the Tennessee General Assembly. During that time in Tennessee's political history, the Governor had the control needed to successfully keep the state Appropriations Bill intact as it moved through the legislative process. The Tennessee General Assembly did not have the staff, finances, resources, and, therefore, the independence necessary to formulate its own budget. The legislative branch was very dependent upon the executive branch in those days. This situation began to change during the sixties.

The shift in power from the executive to the legislative branch began to change significantly during Democratic Governor Buford Ellington's last term in office (1967-1970). He told the author during that time that the Governor's office would never be the same again and that he would not want to be Governor in the future even if he could succeed himself. It was during this time, in 1968, when the House of Representatives elected a Republican Speaker, Representative William Jenkins, which was an indication that the Governor was not as influential in legislative affairs as previously had been the case. Ed Boling recalled that Governor Ellington told him that the political climate had changed so much that

he could not even control his own Commissioners because of outside political pressures. According to Boling:

> The change began in Clement's second four-year term. You began to see it happening. We talked Buford into coming back from Washington, where he was Director of the Office of Emergency Planning, to run again. He was such a strong politician that we thought it wouldn't turn on him, but it did.[15]

Since that time the General Assembly has created and staffed its own Fiscal Review Committee and Joint Finance, Ways and Means Committee to assist in budget preparation and review. There are many other standing committees which have staff to assist Legislators. The Tennessee General Assembly has become increasingly more independent in its decision-making process, especially in decisions related to the budgetary process. Also, there are many legislators who have served several successive terms so they have more experience than did their predecessors.

Prior to 1967 the presidents of the colleges and universities in both systems of higher education came to Nashville to meet with the Governor and the Commissioner of Finance and Administration. They also met with legislative leaders during budget preparation time. Each made his appeal for funds.

The University of Tennessee had been organized for many years, and it was generally perceived to be a smoothly-run organization. It gained its strength from the wide array of programs and services provided across the state. With a slogan of "the State is our Campus," the University of Tennessee touched practically every county and municipality in some way. They carried on an extensive program of adult education, general extension and public service activities, and research. There were agriculture extension and experiment

programs in many parts of Tennessee. The Farm Bureau in Tennessee became a strong political ally of the University of Tennessee because of these agricultural programs. The Farm Bureau was probably the strongest political organization in the state.

Another important part of U.T.'s strength with the public and the Legislature was its football team. The University teams were national champions in 1939 and 1951. It had championship teams regionally for many years. There have been several Resolutions passed by the Tennessee General Assembly praising the teams.[16] There is no question that the people of the state took pride in the national fame that the University's football team won for Tennessee. Even though many felt that higher education was mainly for professional study and the upper classes, men and women of all stations in life could take pride in one endeavor by the University and that was the University's football team.

Another source of strength for U.T. was its president during those years, Dr. Andrew Holt. Dr. Holt was highly respected by students, administrators, and faculty members. He appeared to be easygoing, affable, and knowledgeable. He was expert at selling the University's needs to state officials. The University of Tennessee and Andy Holt were synonymous in their minds. All of these factors were important as a source of power for the University of Tennessee when its administrators were negotiating for their funding each year.

While the State Board of Education regional universities were not without their own support from the area legislators, they were not organized into a system with a strong base of statewide support.

A good example of the difference between the two organizations is revealed by J. M. Smith, past President of Memphis State University and also former Commissioner of Education, in a letter to Cecil Humphreys dated July 24, 1956:

> The University of Tennessee Board of Trustees presented their needs through their published Biennial Reports to the Legislature and the Governor. The state colleges under the Board of Education had no such means of publicizing their needs and requests. The procedure followed has been for the college presidents, in a conference with the Governor and the Speakers of the Senate and House, to present their requests for funds, at which time an agreement would be made concerning the amount which would be requested from the Legislature.[17]

The competition for funds was not just between the University of Tennessee system and the State Board of Education. There was a competitive situation between elementary and secondary schools and higher education for funds, and there was competition among all governmental agencies for the limited amount of funds available. The public schools below higher education had more students, teachers, and parents and, therefore, represented a larger interest group. There was a feeling among several of the presidents that the State Board gave more attention to the elementary and secondary interests.

It was a widely held view by many persons interviewed by the author that the university presidents with the most political clout took the biggest share of the higher education dollar and that the University of Tennessee was usually the most successful in that arena. However, there were others who were also successful some of the time.

Following are several accounts from various individuals interviewed which illustrate the political situation existing prior to the creation of the THEC.

Ed Boling recalls that during his tenure as Commissioner of Finance and Administration that:

> Various presidents descended on the Legislature and descended on the Governor, and the whole idea was who has the most political clout, who knows the Governor best, or who knows Mr. Crump best, or who knows the politicians best so they could get a little extra. After the first year, I told them we had to find a better way to allocate funds, but we invariably ended up with the same fight.*[18]

Former Commissioner of Education Howard Warf recalled that the way the system worked prior to THEC was that:

> Each college president came to Nashville during the Legislature and stayed here. It was every man for himself. The basic fight was between the University of Tennessee and the State Board of Education people, the State Board being represented by me as Chairman of the Board and as Commissioner of Education. Gradually the idea evolved that there needed to be some coordination. For a long time it was simply a point of who was strong enough politically to get the appropriation. I can remember being up at the Capitol at midnight fighting with Andy Holt (President of the University of Tennessee), Ed Boling (Commissioner of Finance and Administration), and the others over money. If it wasn't so serious, it would have been funny.[19]

Frank Gorrell, who was Lt. Governor and Speaker of the Senate during the middle and late sixties, recalls:

> We had to have some coordination. Tennessee Tech had its own constituency, and they were fighting for their funds, so was Middle Tennessee State University and the others. All of them were getting their Senators and Representatives in those areas to fight for their particular regional college. The vocational program was developing, the community colleges were developing, and we had all the colleges wanting to turn into universities. All of them wanted various graduate degrees and to offer more degrees. Something needed to be done in the way of coordination. Other states had experienced similar problems, so we looked at what they had done.[20]

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*Dr. Boling wrote his dissertation in 1960 on the allocation of state funds because of his concern on this issue.

Senator Tom Garland, who first came to the Senate in 1965, also recalls some of the problems he found at the time:

> There was a lot of concern among Legislators and others on Capitol Hill that there was no overall coordination of higher education in Tennessee. It seemed at budget time that whoever had the most muscle at that time or whoever was kind of "in" would get whatever they needed for their special projects or college. There didn't seem to be any rhyme or reason why we did something. When we did something for one college, then the next year, we had to do something for the next one. We never could catch up to equity. It seemed like a poor way to run higher education. So we wanted some outside, independent type of group, some group not part of the existing system with all the prejudices, allegiances, favoritisms, etc. From this grew the idea for the THEC. We were hopeful that duplication would be removed and that an equitable funding formula would be developed.[21]

The way that the higher education appropriations were being allocated was certainly not the sole reason that a coordinating agency was needed. There were other factors apparent to decision makers at the time.

The roles of the institution had begun to change considerably beginning with the post World War II period. The State Board institutions could no longer just train teachers. The institutions began to attempt to respond to the demands of the growing numbers of students, the changing economy, and pressures from the faculty and the community. Humphreys states:

> College presidents were expected to be productive. There was tension and competitiveness for funds, programs, and facilities. The population change from rural to urban was tremendous. Memphis State University began to have a changing role in response to these pressures. The University of Tennessee was holding on to its role.[22]

These pressures upon the institutions began to be felt each year as the competition for programs, funds, and facilities were being negotiated on Capitol Hill. Legislators and other state officials began to be concerned over the expansionism they saw beginning to surface. They began to look for some way to

respond to these pressures themselves. The University of Tennessee had an interest in seeing that all the other universities did not become comprehensive in scope. There were not enough funds in the state coffers for that kind of expansion.

During the fifties when the enrollments were increasing so rapidly, the institutions responded with the expansion of programs and facilities. As Dr. Humphreys states in his publication:

> The expanding program in the state colleges were undoubtedly both the "cause and effect" of enrollment increases. As more students sought admission to these institutions, there was a demand for a broader program, and, as the programs were broadened, more students who wanted programs of higher education and who did not intend to become teachers came to these institutions. It is apparent that in the expanded programs of these institutions that they were covering a broader range than the original intent.[23]

Roy Nicks, current Chancellor of the SBR and former assistant to the president of Memphis State University, states:

> Many presidents began to want to be like U.T. Knoxville. They knew with the creation of THEC that the proliferation of degrees would stop and it did. This is one of the good things that the THEC has done. Because of this, Tennessee has not had to go through what Louisiana and other states have had to in terms of termination of graduate programs. We have kept that under control.[24]

He further states that having come from the budget office within state government that he saw the need for more focus for the regional universities and that he did not believe that they had enough direction at the time. He recalled that Dr. Andrew Holt, who was then the President of the University of Tennessee, Dr. Cecil Humphreys, then the President of Memphis State University, and Dr. Quill Cope, then the President of Middle Tennessee State University, were chief proponents of the creation of the THEC because they felt that there should be a mechanism to ensure that more comprehensive universities, such as U.T. Knoxville and Memphis State University, could get proper recognition while the regional universities would receive attention at the same time.

So there was definitely growing evidence from many quarters that there existed a need for better overall planning and coordination of higher education in Tennessee.

There had been an attempt at coordination as early as 1961. That attempt was introduced by Governor Buford Ellington when he established, by Executive Order, a Coordinating Committee on Higher Education composed of three representatives of the University of Tennessee Board of Trustees, three representatives of the State Board of Education, and chaired by the Commissioner of Education.

The first test of this effort to coordinate the two state systems was in the summer of 1961 when Memphis State was offered the Cumberland University Law School and had received funds in Memphis with which to purchase the library. Commissioner Joe Morgan, who was also Chairman of the State Board of Education, advised President Humphreys that the State Board could not approve the acquisition of the law school without the approval of the Coordinating Committee.

The Coordinating Committee met and arranged for a team of out-of-state consultants to study the proposal of the Cumberland Law School move to Memphis. Before the study could be made and the Committee could act, the Cumberland Law School was sold to Sanford University in Birmingham, Alabama.

There was statewide criticism from the Cumberland alumni, and many others across the state, for the loss of the 114 year-old law school. Dr. Humphreys was quoted as saying "Memphis has the need and the money to buy the law school, but delaying tactics used by those opposed to Memphis and West Tennessee having a fine accredited law school such as Cumberland were successful."[25]

The authority of this Committee, which had no statutory sanction, was not established and was never a factor in coordinating efforts after the loss by the state of the Cumberland Law School. Memphis State University started a new law school the next year.

Several studies had been done prior to the creation of the THEC calling for the need to have some kind of coordination of higher education in Tennessee. The first of these was done in 1948 by the State Department of Education.*[26] The second was a comprehensive study of all of education in Tennessee, grades 1 through university, done in 1957 by the Tennessee Legislative Council.**[27] The

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*A survey conducted in 1945-46 recommended as a long-range goal the unification of all of public education under a single board of control but the more immediate creation of an advisory committee whose function would be "to advise with the State Board of Education and the Board of Trustees of the University of Tennessee toward the securing for the state a more nearly unified program of education." No action was taken.

**The recommendations were: unify public education through a Commission on Higher Education. The Commission was to achieve a higher level of coordination of higher education in the state and to provide necessary state-level study and planning for public higher education, to improve relationships between and among all agencies concerned with higher education, and to consolidate their efforts into a more nearly unified program through the use of cooperative approaches without loss of proper autonomy and initiative of each institution. No action was taken. The structure was to be three members from the Board of Trustees of the University of Tennessee, one from each Grand Division of the State appointed by the Board of Trustees; three members from the State Board of Education; and the Commissioner of Education. The study also recommended the staff that should be appointed.

most recent study was done in 1964 and was also done by the Legislative Council.*[28] All of these studies pointed to the need for some kind of coordination of higher education in Tennessee.

During the gubernatorial campaign in 1966 between Buford Ellington and John J. Hooker, there were several newspaper editorials calling for the need for coordination for higher education in the state. Frank Gorrell recalls that The Tennessean and the Memphis Press-Scimitar both had editorials on the matter.[29]

Soon after his election to office in 1966, Governor Buford Ellington requested Dr. Quill Cope and Dr. Edward Boling to work behind the scenes to draft legislation to develop some kind of board to deal with coordination. He knew that both these men were committed to finding a better way for allocation of funds for higher education. They were also both concerned with other issues such as proliferation of degrees and facilities, more attention and focus for the State Board of Education schools, etc. The Governor knew they could draw from their past experiences, Dr. Cope having been the Commissioner of Education and Dr. Boling the Commissioner of Finance and Administration. Dr. Boling recalls that there was a terrible feeling against the University of Tennessee from the regional universities. They felt that U.T. received all the funds. On the other

*The recommendations were: there should be established a central coordinating governing agency known as the Board of Regents of Higher Education. Under this central agency, there should be the Board of Trustees of the University of Tennessee and a new board known as the Board of Trusttes of the State Colleges and Universities, as an institutional governing agency for the six colleges and universities now under the State Board of Education. The Board of Education should be relieved of any responsibility for the present or future four-year institutions of higher learning but should be the policy-making and regulatory board for (1) public education, grades 1-12, (2) the four special schools, (Tennessee School for the Blind, Tennessee School for the Deaf, Tennessee Preparatory School, and the Alvin C. York Agriculture Institute), (3) the State Library and Archives, (4) vocational schools, (5) technical institutes, and (6) junior and community colleges.

hand, Dr. Cope felt that the State Board of Education was mainly concerned with 1-12 and not the universities. He was convinced that no one was paying enough attention to the progress and the future of the regional universities. He felt that these universities had no strong advocate like the University of Tennessee Board of Trustees.[30]

There are several important political aspects in the approach that Governor Ellington took with the creation of the Tennessee Higher Education Commission, given the political atmosphere at the time. Such a significant change in the structure required careful planning.

First, the Governor moved to bring about support from the University of Tennessee and the regional universities by having two of their leaders draft the legislation, although they had to be very low-key because of their official positions at the time. Dr. Boling was then assistant to the President of U.T., and Dr. Cope was President of Middle Tennessee State University.

Next, Governor Ellington called upon Commissioner Warf for his input. It was well known that Warf was not in favor of the creation of the THEC. One of the original members of the THEC, Sarah Elizabeth Hawkins, recalled that the Governor moved quietly at first because he knew his own Commissioner of Education was not in favor of this change. Dr. Roy Nicks also recalled this opposition from Commissioner Warf. John M. Jones recalled receiving calls from Commissioner Warf after the THEC was created to discuss issues with Jones. He said that he sensed that the Commissioner was unaccustomed to this kind of arena where the lay board members were taking such an active role on the issues. Mr. Jones also believed that the Commissioner felt his power and influence were being depleted.

Commissioner Warf was a very strong Commissioner and a very astute politician. He had come from a strong political base in Lewis County where he had been Superintendent of public schools for 24 years, Postmaster for nine years, and Chairman of the Lewis County School Board for several years. His wife was Superintendent of Lewis County Schools for 23 years at various times when her husband was occupying other official positions, so he was able to continue uninterrupted control in the county. He was Chairman or a member of practically every important county and civic organization in Lewis County for over a 50-year period.[31] He was in a position to influence many jobs, which in turn obligated many people. He became well known. As Commissioner of Education for many years, he had been able to expand his power base in the same manner. Prior to being appointed Commissioner of Education by Governor Frank Clement, he had been a member of the State Board of Education for eight years. There were those who believed that the Commissioner had grown too powerful and that some system of checks and balances was needed to limit that influence.[32]

Governor Ellington, an astute politician himself, presented Commissioner Warf with two bills; one which would remove the regional universities from the State Board of Education and place them under a separate board and a second bill which would create a coordinating board to coordinate all the institutions of higher education, but would not change the basic governance structure of the State Board of Education or the University of Tennessee Board of Trustees.[33] The coordinating board bill seemed to be the most feasible of the two proposed bills.

The next step was to find strong sponsors for the legislation. The Governor requested the Speaker of each House to sponsor the legislation, and they did so. Frank Gorrell, who was Lt. Governor during this time, recalls:

> As in any legislative proposal, it is seldom passed in its true form. There were some compromises made to make it acceptable to some groups. The major issues were who would be appointed, how would the THEC be structured, how long would members serve, where would these Commission members come from, and whose interest would be represented. It was not a situation where the executive branch said we need this and then everyone got behind it. There was a great deal of negotiation with the Legislature and the affected educational institutions before it was finally enacted.[34]

Among the major duties of the THEC as outlined in the proposed legislation were to develop a master plan for higher education in Tennessee, to develop a formula for equitable distribution of funds, providing for both capital outlay and operating expenses, to approve or disapprove new program proposals, to study the need for programs, departments and services, to make recommendations about tuition and fee changes, to conduct a program of public information about higher education in Tennessee, to make determinations about the establishment of new institutions of higher learning, and to submit a biennial report to the Governor and the General Assembly.[35] These proposals were generally acceptable to the groups and individuals who would be affected by these changes.

One of the duties which was found unacceptable at the time was to give the THEC program termination authority.

Next, Governor Ellington dispatched one of his top aides, S.H. "Bo" Roberts, to talk with some of the regional university presidents to gain their support. He visited one in each area of the state. First, he visited Dr. D. P. Culp, President of East Tennessee State University in Johnson City. Next, he went to Cookeville to talk with Dr. Everett Derryberry, president of Tennessee Technological University. Finally, he visited with Dr. Cecil Humphreys, President of Memphis State University, to gain his support

for the new legislation.[36] These three presidents were known to be politically influential with their area legislators.

There were still pockets of resistance from some areas reflected by their representatives in the Legislature. This was probably because the presidents of the universities and the community colleges under the State Board were caught in a rather strange situation. They were caught between the Governor, who could influence their appropriations and other matters of importance to the schools, and Commissioner Warf, the Chairman of their governing board, who also could have a considerable impact upon their institutions.

Even though tentative agreements had been reached between the Governor and those who were not in favor of the change in structure, old institutions die slowly. The best strategies and compromises have to be reinforced in the political arena. So the Governor's staff continued to press hard against any resistance that was discovered.

After the bill was enacted, Governor Ellington moved to have top people who were very influential in their communities to be named as board members. He believed that the caliber of the people appointed was extremely important to the early success of the THEC to establish the credibility of the new board.[37]

An indication of the concern for impartiality by the individuals the Governor selected is reflected in the recent interviews with them as they recall what their concerns and hopes were as they responded to the Governor's request.

One of the original members of the THEC, Scott Probasco, Chairman of the Board of American National Bank of Chattanooga, is currently a member of the University of Tennessee Board of Trustees. He recalls the call from Governor Ellington as follows:

> I was in a board meeting at the old University of Chattanooga, a private university, when the call from the Governor came. He asked me if I was a Republican. I said yes. He said I was his kind of Republican, and he asked me to serve on this new higher education board. He explained its purposes to me.
>
> I remembered that in 1965 when I had been president of the Chattanooga Chamber of Commerce, we had worked really hard to get a community college located there. We had reams of data prepared to convince the state officials of our need. After our presentation, the Bradley County Judge called me aside and said, "You have made an excellent presentation for Chattanooga, but the decision has already been made to build the community college in Cleveland."
>
> So I asked the Governor if this board was going to be strictly bipartisan. He assured me it was. I asked him to give me time to think it over. He told me to read the legislation which he would send me and that he needed my response right away.
>
> After I read the legislation, I agreed to serve. I wanted to be sure that future educational decisions of the magnitude of placing institutions would have more input and would not be made on a purely political basis.[38]

Another one of the original members of the THEC was John M. Jones, publisher and editor of the Greeneville Daily Sun, Greeneville, Tennessee. He recalls receiving a call from the Governor in 1967:

> I first learned of the THEC through an AP story, but I had no particular interest in it at the time. When Governor Ellington called, he said he needed someone from East Tennessee to serve on the board. I had served on Tennessee Wesleyan and Washington and Lee boards before. I asked if he wanted me to represent East Tennessee. He said, "Not necessarily. I want this Commission to deal with higher education from what is best for the State of Tennessee regardless of East Tennessee, Middle Tennessee, or West Tennessee." I said, "If that is the case, I am interested, but I would not be interested in going in to try to get money for East Tennessee State and U.T., even though I think that might be important. But if the idea is to try to set up a structure that will give a more efficient and more meaningful governance to higher education, then I think that would be much more challenging and

rewarding." He said the THEC would not be a political football as far as he (the Governor) was concerned and that he genuinely wanted to bring some order to the chaotic political pressure system that was being used to finance higher education at many of the state institutions.

I was fully aware of that because Burgin Dossett who had been President of East Tennessee State University and a good friend of mine, a very able man, had gotten many buildings built on that campus without any plan whatsoever it appeared to me. I was really horrified at the way East Tennessee State had grown more by political grants than by planning overall for what was best educationally for the area and for the institution. So I saw the critical need for some type of organization that could bring order out of that situation.

Without exception, the relationship with Governor Ellington and later with Governor Dunn--those two--never at any time exerted political influence on me or on the Commission.[39]

Mrs. Sarah Elizabeth Hawkins, who lived in Clarksville, Tennessee and had been vice-president of the Tennessee Congress of Parent-Teachers and also very active in the Girl Scout program at the state level, was also an original member of the THEC. She recalls the following:

During Governor Ellington's State of the State message in 1967, my husband and I were sitting in our study listening. I said, "That sounds like a good thing (the creation of a coordinating board)." I knew already about the competition among the colleges and universities because of Austin Peay State University. I knew that they felt that the small regional universities were sort of an underdog when it came to U.T. just swallowing up everything. I never dreamed I would ever be on the THEC. The following July, I was requested to meet in the Governor's office. Governor Ellington told me he wanted me to serve on this Commission which would coordinate all of higher education. He explained the concept that he had of such a Commission and how it would bring about some equity between the University of Tennessee and the regional universities, so that the whole of higher education could be served in a more systematic way and to make possible the best use of the funds which would be available to higher education.

The editor of the Clarksville Leaf-Chronicle called me a few days later and asked me what I planned to accomplish for Austin Peay as a result of my appointment to the THEC. I told him I didn't plan to do any more for Austin Peay than I planned to do for any other state university. I told him the THEC was created to bring about equity, and I planned to represent every state university. I had to convince several Clarksvillians that I envisioned my role to be

> that I was to represent all Tennessee public institutions from the explanation that Governor Ellington had given me as to what the THEC was to do.[40]

Another original Commission member was Walter Armstrong from Memphis who is an attorney and still serves on the THEC. He recalls how he was told the THEC would function:

> I understood the function of the THEC to be a board that would judge between the requests, demands, and needs of the various higher education institutions in Tennessee. I gathered that we were to act as a buffer between the two existing educational systems, to pass on budgetary requests and new program requests to prevent them from going directly to the Legislature with their problems. Further, I understood an important task of the THEC was to have a master plan for higher education planning in the state.[41]

The concern that the Governor had to select highly respected persons to the THEC proved to be important in several ways. There was, of course, the substantial opposition that had been apparent during the attempt to pass the legislation. Further, these were lay people (with the exception of Dr. A.C. Kirkendoll, President of Lane College, a black college in Jackson, Tennessee), and educators were not necessarily convinced these board members knew much about the educational enterprise. The original THEC members included a black, a woman, and white males whose professions were banking, law, medicine, business, and newspaper publishing. They proved to be dedicated, hard-working board members who believed in the charge that had been given to them. They did not give up in spite of bills introduced in 1969 to strip the THEC of its powers and make it purely an advisory board. Governor Ellington was finally successful in killing the bill, but not before convincing Commissioner Warf to remind some of the Legislators with whom he had influence to back off supporting the bill.

The THEC continued to move to make changes fairly quickly as it employed the first executive director, Dr. John Folger, who had worked previously with the Southern Regional Education Board in Atlanta and who most recently had been the graduate dean at Florida State University in Tallahassee.

There were several controversial issues identified in the THEC's first Biennial Report--mission definitions, proliferation of graduate programs, governance and coordinating structure changes. The THEC recommended in 1969 that the six regional universities should be placed under one board of higher education, and the community colleges should be under a separate board. A bill was drawn up and introduced by Senator Bill Bruce of Memphis. Needless to say, this bill raised considerable opposition from the State Board of Education supporters. Governor Ellington was in his last year of his last term as Governor, and he was ready to compromise more positions than he had been willing to do in the past. So he reached an agreement with Commissioner Warf that he wouldn't push the bill very hard if Commissioner Warf would stop his resistance against the THEC.[42]

The THEC, then, was a political response to a set of problems that evolved over many years. There was the problem of two different educational boards with no coordination, the problem of equitable distribution of funds tied to some realistic institutional program and student enrollment, and the problem of competition among institutions for students, programs, facilities, and prestige. There was the need for long-range planning for all of higher education in the state. These pressures brought about the call by political leaders for studies to be done and finally became an issue in a gubernatorial campaign. This prompted a political candidate for Governor to promise to bring some order by creating a board to accomplish these objectives.

The decision-making process in the case of the THEC was begun in the executive branch. It was impacted upon by many special interests as it moved through the process. Some of these interest groups were the college and university presidents, faculty members, students, administrators, legislators, alumni, board members, community representatives, and the Commissioner of Education and others. All of these interests had to be considered. Compromises were made throughout the process as pressures were brought to bear and new strategies were implemented to address these pressures. Ultimately, the revised legislation was passed. It can be said of Governor Ellington that he recognized the limits to decision making at a particular time and place in history, and he made the most of the opportunities within those limits to accomplish the purpose at hand. Political decisions always operate within those boundaries.

What has been the impact of the THEC since its creation in the opinion of many of those who have been affected by its existence? Has the THEC accomplished its purpose? Has the power structure shifted, and, if so, where does the power structure lie at the current time?

Dr. Cecil Humphreys says of the THEC:

> The creation of the THEC was absolutely necessary. Before, it was a political dogfight for the State Board institutions. They felt that the University of Tennessee had more influence. As long as there were two systems of higher education, someone had to study the problem and make fair recommendations.[43]

Dr. John Folger, currently the Director of the Vanderbilt Institute for Public Policy Studies and professor at the Vanderbilt Graduate School of Management, states:

The THEC has been essential--it has focused the state's attention on important policy questions in higher education, although they are not always resolved in a logical way, since the political processes are not always logical. The THEC has made a major contribution with its formula for distribution of funds. The existance of the THEC has caused more careful planning on the part of the institutions and the boards. It is beginning to look at the quality issue. It has raised the right issues and has been effective in getting political solutions.[44]

Sarah Hawkins relates:

I think the climate of higher education in Tennessee has been changed by the THEC. I have seen such a change. In early meetings of the THEC with college presidents, we felt the distrust and fears, but I think that has changed. I recall one of the first things we did was to invite the presidents of the schools to come in and tell us what they expected of the THEC. Andy Holt said, "This Commission must be strong enough to tell us things we don't want to hear. Remember, we are not worth our salt if we don't support and aren't loyal to our own institutions. But you must be firm enough to tell us things we don't like." That gave me a lot of courage. I think we all tried our best to represent every institution fairly.[45]

U.T. President Ed Boling's assessment of the THEC is:

I have been disappointed in the results for higher education in terms of support. In terms of coordination and control, having persons think that there is somebody there looking at programs and direction, it has worked perfectly. I have not agreed with a formula based upon averages of past years, but I have wanted a formula based upon something to strive for so that it could move us up, not keep us back. I have never felt that the THEC staff or members have been enough of proponents for higher education. I feel they have become too much a pawn of the Governor or the Legislature and taken on too much of the idea of how do we hold this thing down or how do we squeeze more fat out of them when they know better than anybody there isn't any more fat. I have been totally satisfied with the whole approach of control, and the THEC saved us during the 70's. We got away from the idea that we were all fighting all the time.[46]

John M. Jones reflects upon the value of the THEC in the following way:

> The THEC has had a great impact upon Tennessee. I can't conceive of what kind of mess we would be in today if there had not been some type of change in the structure. The waste we saw, the duplication of programming, the duplication of institutional coverage would have been colossally wasteful to this state. I think the citizens of Tennessee were well served in many ways. One of the major things they did was to set up a formula for distribution of funds that is far more accurate than the political formula that was used. It is being refined as it goes along, and it is accepted as the fairest way to distribute funds. The programs eliminated by exposing to the presidents of the schools the ones which had few or no students was another way the THEC was effective. One problem we could not deal with was the waste in vocational and technical education. I was aghast at the lack of planning for the huge amount of money poured into those areas.[47]

State Senator Tom Garland believes the THEC is effective:

> It still has its friends and its opponents, and I think that speaks rather well for it. It shows they are not totally satisfying any groups at any time. I notice the allies and the opponents change constantly over the years. Overall, the THEC has served a very useful purpose. While all its recommendations are not taken, it will always be that way with government-supported programs. We always strive to improve, but we never reach the level we would like to.[48]

Former THEC member Scott Probasco says:

> The impact of the THEC has been all for the good. I look at it on the balance sheet basis. It has saved the taxpayer of Tennessee many times its budget over the years. It has improved the educational system by making the institutions analyze the job they do in their program work. We looked at role and scopes in the early stages of the THEC, and this has helped the institutions stick with their mission and definitions so they understand their purpose. For example, Columbia State Community College wanted to become a four-year institution, which was never what community colleges were created to be.[49]

S. H. "Bo" Roberts, Executive Director of the World's Fair at Knoxville and former Executive Assistant to Governor Buford Ellington, states:

> I think the impact has been positive. The formula funding system that was developed brought some order to the appropriations process. It brought reason and rationale to the process instead of

who knows who. It reflected the differences in institutional roles which was a constant battle because every public institution in the state wanted to be comprehensive. Also, the THEC saved the state many millions when it did the study of the Chattanooga area and recommended that the University of Tennessee take over the University of Chattanooga as a state institution instead of building a new school in that area.[50]

Former Education Commissioner Howard Warf states:

> The Commission has had quite an impact upon higher education. It brought a certain order that was needed. I think by and large the Commission has done a good job. There have been some complaints, not just about the THEC but all governing boards from the institutions, that they are too restrictive. Some feel there is too much concentration at the state level and not enough latitude at the local level.[51]

Dr. Roy Nicks, Chancellor of the SBR, responded to his assessment of the impact of the THEC as follows:

> I think overall that the impact of the TEHC has been positive. It did initially bring equity into the funding issue. I believe the formula should have been changed after five or six years to address the problems of Memphis State and U.T. Knoxville. The THEC stopped proliferation of programs. It has caused institutions and now boards to take a different approach and to do more planning, to make more rational kinds of decisions about their future development and their programming. So I think all this has been very positive.[52]

Two years after the THEC was begun, Governor Dunn, who had taken office in 1971, commissioned a study of all state government to be done by an outside group of businesspersons. This study group was chaired by Maxey Jarman, who was Chairman of the Board of Genesco, Inc. The purpose of the study was to evaluate state government agencies and departments and to make recommendations for ways to operate government more efficiently, effectively, and economically. The following evaluation was made of the THEC:

> During the two years of full-scale operation, the Commission has published a number of studies and made major recommendations. Its greatest impact has been in the development of a statewide system

> of fiscal accounting and reporting for the public colleges and universities. Further, it has developed policy recommendations and formulae for distribution of funds between colleges and universities which are used by those institutions to prepare requests for appropriations. The Commission also publishes a biennial report on developments, trends, policies, budgets, and financial considerations for use by the Governor and the General Assembly. Analyzing detailed data on space use and costs for every campus, the Commission demonstrated many proposed building projects are necessary.
>
> Tennessee is fortunate to have a qualified professional staff serving the Commission. The senior members, all educators, are respected by the universities and colleges for their competence. The cost of its operations, 0.3 percent of the appropriation for higher education in 1970-71, is low compared to the value of its recommendations. The Commission has, in two years, made major contributions toward preparation of a master plan of higher education, with substantial cost avoidance benefits.[53]

In 1971, Governor Dunn commissioned another study to look at various altenatives for the governance and coordination of higher education and to recommend effective and efficient means of maximizing educational excellence in Tennessee with the resources at hand. The nine-member study group was chaired by Nashville businessman, Nelson Andrews. That study said of the THEC:

> Obviously, with a multiple system of education, coordination of higher education is essential for efficient operating and for good long-range planning of higher education. We find that the Higher Education Commission has done an excellent job in the four years of its operation. Its work has not been widely known or understood by the general public, and the Commission staff should devote more time to a better public understanding of its activities. Inasmuch as is possible, the Commission has developed a reputation for fairness and impartiality among the institutions it serves. It has put into operation new budget review procedures which are more objective and fairer than the older systems. To be fully effective, the formula-based budgets should be fully funded.[54]

It is clear that these persons generally agree that the THEC has been and continues to be a positive force for higher education in Tennessee and has, for the most part, accomplished the purpose for which it was established. The system has been changed to the extent that allocations of state appropriations are no

longer decided by a few powerful people. The requests for funds, programs, and facilities generate at the campus level and move through the appropriate governing boards to the coordinating board. The THEC has final action on program requests and the establishment of new institutions. In the case of funds and capital requests, the THEC makes recommendations to the Governor and to the General Assembly for consideration and action. These recommendations have been generally followed without too much deviation over the years.

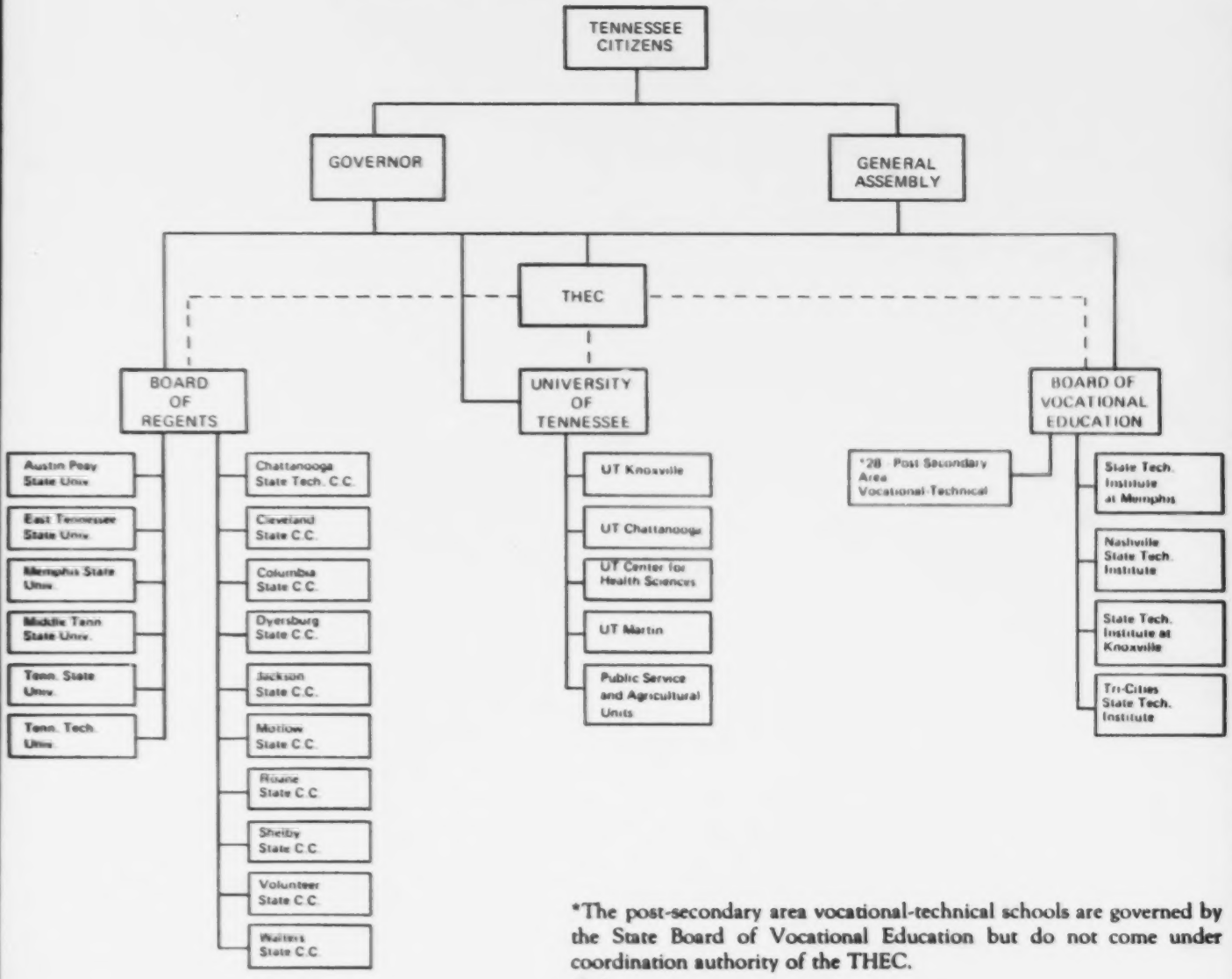
One recurring issue has been that the formula has not been fully funded by the state to meet the needs of the institutions. So the THEC has been more effective within the realm of higher education internally than it has been externally with the Governor and the General Assembly as it relates to gaining the needed funding for higher education.

Without question, the creation of the THEC was a political decision that changed the rules of the game in higher education substantially. It shifted the power structure in higher education from a few individuals in higher education and a few state officials into a much larger arena of board lay persons, executive and legislative branch officials, college and university presidents, and others. There are opportunities all along the way for affected groups and individuals to have input into the process.

After the creation of the THEC there remained an issue in higher education which had been identified but had not been resolved. That was the problem of attention and focus for the future of the regional universities and the community colleges. Addressing that issue was the next major political change in higher education in Tennessee.

EXHIBIT 2

TENNESSEE PUBLIC HIGHER EDUCATION
GOVERNANCE/COORDINATION STRUCTURE - 1980-81



*The post-secondary area vocational-technical schools are governed by the State Board of Vocational Education but do not come under coordination authority of the THEC.

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Chapter 2

THE CREATION OF THE STATE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM--THE STATE BOARD OF REGENTS

Following the creation of the THEC in 1967, one of the first issues the nine-member lay board addressed was the problem, as they viewed it, of the state's regional universities being under the same governance structure with K-12 in the 95 counties, the nine community colleges, three technical institutes, and twenty-five area vocational schools. Some people believed that this many schools under one board was far too large for proper attention and focus to be given to either the higher education institutions or the other schools in the system.[55] There was a continuing belief that the four-year regional universities in particular needed to have a governance structure which would place them as a group on par with the University of Tennessee institutions, both educationally and politically. Education in Tennessee had grown by leaps and bounds between 1960 and 1970. The University of Tennessee felt the need to organize itself into a system in 1968 to manage four major campuses, centers, and extension activities. There seemed to be no long-range planning and not enough focus on the needs of the institutions.[56] In the THEC 1969 Biennial Report to the Governor and General Assembly, the following statements and recommendations were made:

> There is an obvious need for reorganization. It is a top priority which should be dealt with as soon as possible. The THEC believes that the six State Board universities should be under a separate board, and there should be another board to operate the community colleges. The logical time to implement a new organization is at the time a change occurs in the top leadership in the State Department of Education. The THEC is ready to work with the Governor and Legislature in any way they desire to prepare proposals which will lead to more effective organization of higher education.[57]

As with any proposed change in government structure, this proposal had opposition. So much opposition to the recommendation by the THEC surfaced that Governor Buford Ellington did not succeed in pushing any legislation to accomplish this through the General Assembly during the last year he was in office.[58]

In November 1968, the THEC met with all the university and community college presidents to discuss the question of organization. Some of the proponents of a new board other than members of the THEC were the regional college presidents themselves, but some of them were also opponents. One THEC member believed that their position on the change could be connected to some extent to whether or not they had good political input with Commissioner Warf and the State Board of Education.[59]

Other opposition came from Commissioner of Education Warf and some of the State Board of Education members. Sarah Hawkins recalls receiving telephone calls from individuals that she believed had been identified as having some influence with her, requesting her to oppose the new board.[60] Another THEC member at the time, John M. Jones, recalled:

> The THEC started thinking in terms of a State Board of Regents soon after we were organized. Dr. Folger was a man of broad vision. In informal conversations we had on where higher education should go, he convinced us that the system of governance we had through the State Board of Education was not adequate and that we needed a system of governance for the higher education institutions separate from the state elementary and secondary schools. On several occasions, we met with Governor Buford Ellington and later Governor Winfield Dunn about this subject. There was a great antipathy to it on the part of some of the members of the State Board of Education and particularly Commissioner Warf who felt it was taking jurisdiction away from his Department.[61]

Others on the scene at the time believed the change needed to be made for several reasons: there needed to be more balance between the four-year regional universities and the University of Tennessee system; there needed to be long-range planning; the institutions needed more help from their Board than they were getting. Cecil Humphreys recalls the problem as he saw it as President of Memphis State University:

> Some of the other presidents were a little concerned when you centralized that they would not have the local autonomy they had previously enjoyed. My feeling was that I wanted help. MSU had grown so much. You didn't get much help from the State Board of Education. The U.T. Board of Trustees worked hard for their system. They had one goal in mind and that was the University. The State Board of Education was an arbitrator and more neutral. I felt that MSU needed a board that could give it more time. Every president came in to meet with the SBE, but the Board was so busy with so many schools that they couldn't give us much time.
>
> Also, I knew that we had reached the point where the state and the Legislature were not going to permit the institutions the same kind of autonomy we had enjoyed in the past. The Legislature was tired of all the pulling and tugging.[62]

Roy Nicks, who had been in administration at Memphis State University, stated that he also believed that another board was needed for those institutions.[63] Ed Boling did not think it appropriate to speak out publicly during that time since he was the President of the U.T. system, but he said privately he felt strongly that the SBE could not deal with all its schools--it was just too big.[64]

Scott Probasco recalled that the THEC spent many hours in its early months discussing the governance of higher education:

> I recall Sonny Humphreys saying that his total budget approval time before the SBE was ten minutes, and he didn't think that was adequate planning and attention for an institution with a budget that size. That struck home with me. It showed there was not enough attention to the planning function. Then we found there was

> no long-term planning. Some institutions did a reasonably good job in overall planning, and some did not. But there was hardly any input from citizens who were interested in the use of state dollars.
>
> The regional universities were really a mixed bag in contrast to the U.T. system. But it was rather a political issue. If the THEC had not been in place, the State Board of Regents probably would not have passed the General Assembly.[65]

The political atmosphere during the years between 1968 and 1970 was not conducive to another change in the structure of higher education in Tennessee. Another board right on the heels of the THEC was too large a bite out of the political apple.

However, late in 1970, politics in Tennessee changed rather drastically. Several circumstances began to occur almost simultaneously over a period of months which set the stage for the political decision that would eventually lead to the creation of the Board of Regents.

The first dramatic change in Tennessee politics in 1970 was the election of Winfield Dunn, a dentist from Memphis, as the first Republican Governor in fifty years. This meant not only a change of party in the Governor's chair but rather sweeping changes at the top levels of administration in all departments of state government. There was a significant loss of continuity as long-time high-level state officials hired by Democratic administrations relinquished their positions to the Dunn appointees. This system of political changeover is not unusual with the election of new people to office, but, for at least the preceeding twenty years during the Clement-Ellington Democratic administrations, naturally the changes had never been quite so severe. This upheaval in state government precipitated a number of activities and changes that would impact upon higher education.

The second major change affecting higher education was the coming of a new Commissioner of Education. Dr. E. C. Stimbert, a school superintendent from Memphis, was named to succeed Howard Warf. His management style was diametrically opposite the style of Commissioner Warf. Warf had given the presidents of the regional universities rather wide autonomy in the sense that they were left to run the institutions on their own. When they had a problem, they called Commissioner Warf, and the two of them settled the issue almost immediately. Commissioner Stimbert, on the other hand, tried to be more democratic in his management style.[66] During Warf's tenure, there were decisions of large magnitude made in the interim between the formal meetings of the SBE.[67] Cecil Humphreys stated:

> Mr. Warf had political know-how to get things done. You could get an answer. There was a complete difference in administrative philosophy between Mr. Warf and Dr. Stimbert. Stimbert's style was to delegate authority and have those persons responsible for a particular area to make their own decisions. The few staff Stimbert had inherited who did stay were not accustomed to making those decisions. The new ones coming in didn't have enough information at hand to make informed decisions.[68]

So after the change in the Department of Education, there was a very chaotic time for the institutions. Commissioner Warf states:

> Dr. Stimbert knew very little about higher education and had no staff left who did either. The regional university presidents became somewhat spoiled when I was there. They could get answers. When I left, that stopped. I had an advantage when I came in as Commissioner because I had been on the SBE for eight years before I was made Commissioner. Also, I did have the authority because the understanding I had with Governor Clement before I took the job was that, within reasonable limits, I would have the authority to do whatever I thought needed to be done, and he would support me, and he did. I had that to a reasonable degree with Governor Ellington, not quite as strongly as with Governor Clement. The SBE also supported me, and the result was I had a free hand to operate. To be very frank about it, that is the only reason I got as much done as I did with so many institutions. I wasn't hamstrung and I had a good staff. If a decision needed to be made, I could make it. My

political philosophy, whether right or wrong, has always been to accomplish something.[69]

As a result of these various events during the first few months of the Dunn administration, many of the regional presidents and community college presidents began to think some other alternative might be better for them.

Another continuing problem for the Commissioner of Education in Tennessee is the structure whereby the Commissioner is appointed by the Governor and works for him or her while at the same time also answering to the SBE. Many times the Governor and Commissioner may have one point of view, and the State Board may have a different point of view. When Commissioner Stimbert was first appointed, he worked for a Board that had all been appointed by previous Governors. He was in a very difficult position and an awkward situation during most of his tenure as Commissioner.[70]

At the same time, Governor Dunn was receiving a considerable amount of input from various sources on the question of higher education governance. He recounts that his experience in state government began suddenly without much exposure to major or minor issues that come before a Governor as public policy questions. It became clear to him from these discussions that there was a rather cumbersome governance system for higher education in the state.[71]

Lee Smith, Executive Counsel to Governor Dunn, recalls that a number of proposals concerning governance of higher education in Tennessee were introduced in the Legislature in 1971 during Governor Dunn's term, but none were passed. However, this did indicate that the issue needed to be addressed. So after the

session the Governor decided to appoint a citizen's committee to look into the feasibilty of making some changes in that system.[72]

The committee the Governor appointed was chaired by Nashville businessman Nelson Andrews. Other members of the committee were: Jack Petree, Walter Armstrong, Representative Harold Bradley, Dr. Lloyd Elam, Dr. Dan M. Martin, Senator Curtis Person, Jr., Leonard Raulston, and Thornton Strang.*

Governor Dunn felt that he was literally under siege from many sides during the first few months of his administration, so he was trying to find ways to address many issues almost at once. He recalls:

> I came into office a totally unknown quantity, someone who was in every sense of the word a "flash in the pan." I became the first Republican in 50 years to move into a setting where the Democratic Party had purely dominated the political environment. I became the object of every conceivable kind of partisan hostility superficially. I got some support from some Democrats, but, for the consumption of the press and public, I was being shot at right and left. My study by Mr. Jarman and that group on the businessman's insight into how government was operating caught a lot of flack. I was busy putting together a cabinet which took nine months. I was so consumed with all these things, I did not know much at all about what the Andrews Commission was doing. I had confidence they were carrying out their charge--and they did.[73]

According to Nelson Andrews, their charge was to study the various alternatives for the governance and coordination of higher education and to recommend

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*Jack Petree
Walter Armstrong, attorney and member of THEC
Rep. Harold Bradley, Vanderbilt Professor and member of Tennessee House of Representatives
Dr. Lloyd Elam, President of Meharry Medical School
Dr. Dan Martin, Special Assistant to the President of Vanderbilt University
Senator Curtis Person, member of Tennessee State Senate
Leonard Raulston, member of University of Tennessee Board of Trustees
Thornton Strang, member of State Board of Education

effective and efficient means of maximizing educational excellence with the resources at hand.

The Andrews Committee approach was to capitalize upon the strengths that already existed. They knew they could not start from ground zero, so they tried to work with the existing system. Chairman Andrews says their charge was to identify the best possible education for the most people for the least dollars and to do what was politically feasible. The Committee heard from countless groups and individuals such as officials, administrators, faculty, alumni, and board members from the U.T. system; similar groups from the regional universities and community colleges; the State Board of Education members and staff; the Commissioner of Education; staff and members of the THEC; ex-Commissioner of Education Howard Warf; the President of the Tennessee Council of Private Colleges; and the President of the Southern Regional Education Board.[74]

The Committee believed U.T. to be a well-run system of higher education that was politically dominant because it touched bases all over the state. They identified four political elements at work in higher education in Tennessee:

1. The U.T. System who did a good job and were also good politicians and they used all their resources to their best advantage.

2. Separate regional universities who had different directions and missions, but they were still of the same general posture as far as the rest of state education was concerned.

3. The community colleges which were fast becoming a strong political factor within the state. While still new, they were destined to have more strength.

4. All the other elements of higher education in the state such as THEC, SBE, vocational and technical schools, and educational administrators reacted with the other three elements.[75]

The Committee agreed that there needed to be a better balance. It seemed that bringing these regional universities together under a system would place them in a better political position. Nelson Andrews stated:

> If we could have done what we thought ought to have been done, we would have created three systems; the U.T. system, the State Board of Regents system, and a separate system for the junior colleges, and we would have placed the vocational technical training into that area because it seemed to fit better there. But we concluded at that time that politically we could not accomplish that because there were too many forces at work against the idea.[76]

These forces referred to by Andrews include Legislators who were responsible for passing a law creating the area vocational schools and technical institutes, plus the many superintendents, faculty, and students of those schools, representing a large interest group. The Legislature has generally taken a protective posture against the executive branch relative to these schools since they were created by legislative initiative. Practically any mention of change to the vocational-technical schools brings about strong opposition from many Legislators. Further, Commissioner Warf believed strongly those schools should stay with K-12.

In December 1971, the Andrews Study was completed and its recommendations were:

1. Retain the governance structure of the University of Tennessee System in its present form.
2. Create a State University System with its own board to govern the six universities now regulated by the State Board of Education.
3. The community college schools eventually have their own board but at present should continue to be governed by the SBE.[77]

After the proposals were made, Governor Dunn and his staff met with the regional presidents, community college presidents, members of the SBE, representatives of the U.T. System and Board members. There were still some reservations and some concerns.[77]

The first bill the Governor's office drafted creating a board for the six regional universities did not get enough support, so the decision was made to add the community colleges in the package. This enhanced the legislation because most of the community college presidents wanted to come out from under the State Board of Education when the universities did.[78] The community colleges were a significant force in the Legislature because of their close ties to the communities where they were located. These ties were reflected by their Representatives and Senators.

Another force in operation at the same time relating to the legislation was Howard Warf who was seeking to be placed on the new State Board of Regents legislatively.[79] He still maintained considerable support among the Democrats in the General Assembly through his many alliances made over the years. He had little trouble being added to the Board by an amendment to the bill which stated that the former Commissioner of Education would serve as a member of the Board for three years. So with these changes and compromises, the bill was passed in 1972. Lee Smith says of the legislation:

> Nelson's group had done a good job in allaying fears of those to be affected. While there were some reservations, there was no great hew and cry against the proposal. So it became a part of the Governor's legislative package in 1972. It was one thing in Governor Dunn's term, from the standpoint of the decision making and the handling of it, that was carried out very well all the way from the beginning of it until the time that the Governor put his name on the Act and ultimately appointed the Board members.[80]

The new Board was composed of four members from the State Board of Education and seven new members appointed by Governor Dunn. The Governor, Commissioner of Education, Commissioner of Agriculture, and Executive Director of the Tennessee Higher Education Commission served as ex-officio members. Many of the staff came from the State Board of Education staff, but some staff were hired.

The proponents of these changes in the governance of higher education were hopeful that the new Board would provide the following advantages: (1) operating the institutions would be more manageable, (2) there would be more of a balance of power between the systems of higher education politically, and (3) the SBE could provide more time to the planning and policy making of grades K-12 and the special schools. The question is whether this change in governance has achieved its goals. There are several points of view as related below:

First, Governor Dunn reflects:

> It is difficult to quantify much less qualify changes that are the result of creating a new governance arm for higher education. It did permit the SBE to direct its attention to primary and secondary education, and I would have to assume it's been positive because we reduced the burden of the Board members and made their responsibilities more reasonable to approach.[81]

Lee Smith states:

> It was probably a step forward. The regional universities and community colleges have their own Chancellor and central staff. So now they have greater voice with the THEC, the Governor and his staff, and with the Legislature. It has created a greater balance of power between that segment of higher education and the U.T. schools. I don't think it has hurt the U.T. system any. Another positive effect has been to give the SBE more attention to the questions and issues of K-12.[82]

John Folger says:

> The SBR has given concentrated attention to the universities' role by providing more oversight. It has helped assure that the institutions give more attention to handling fiscal matters. They operate more effectively. The two Boards (U.T. and SBR) keep each other honest, which is a good balance of power between the two systems. It is a reasonable way to operate.[83]

Another point of view is held by Scott Probasco:

> The SBR has been primarily for the good, but the system is still too big. There should be more of a political balance. As an operating Board, they have too much to say grace over. The community colleges and universities are too different. In essence, they almost have to be a coordinating Board instead of an operating Board. There would be a great service done to the taxpayer and the higher education institutions with the development of a third Board because you could involve more volunteerism, more knowledge, and more awareness of educational needs.[84]

Ed Boling has a somewhat similar perspective:

> The State Board of Regents has been good. Now they have an identity. The technical institutes and community colleges should not be under the same Board with universities. A good system is when communities have more input and control with two-year institutions like the California system. Our four-year institutions have been really hurt because of support needed for the community colleges and veterinary school and the medical schools.[85]

Still another slightly different perspective is held by Walter Armstrong:

> The SBR has accomplished what we expected; it has unified the institutions outside U.T. and placed them in a more competitive position. I have visualized the two systems as being similar in the sense that each of them centers around a major campus, which in the U.T. system is Knoxville and in the SBR system is Memphis.[86]

Senator Tom Garland gives a Legislator's point of view:

> The regional universities and community colleges now have more input because of the strength of the coalition that was formed. The SBR and U.T. are not into an adversarial relationship as some might think--they have developed a good working relationship. We have made some major strides from where we were for higher education.[87]

The creation of another Board for higher education in Tennessee changed the political structure once again. There were additional Board members and staff on the political scene which became another interest group to be heard. The previously identified problem of the need for a more consistent system of long-range planning has been addressed. Also, these institutions now receive the full attention of their Board. There is definitely a more visible focus on the regional universities and community colleges as a group than when they were a part of the K-12 system. The regional universities and community colleges had also gained their own central staff and lay Board which gave them additional stature within the higher education community and with the political system in the state.

The political balance between the University of Tennessee institutions and the SBR institutions has improved significantly. The SBR as a system has its own government relations staff who provide legislative and executive branch coordination for the SBR institutions. This places those schools more on a par with the U.T. schools, which was not the case in the past.

The change also enabled the SBE to concentrate more fully on the important issues in elementary and secondary education, which continues to require greater attention.

The political wind can change rather rapidly. What seemed to be an almost impossible bill to pass in the General Assembly in 1969 became relatively easy to accomplish in 1972. The shift in the political climate came about because of the change in party and administration in the executive branch in 1970.

The forces who had been opponents of the idea of a separate Board for the regional universities and community colleges in the past became proponents after the 1970 elections.

There were various reasons for these changes in support. Some switched because they had lost position or status; some because they were losing autonomy; some were dissatisfied with the new management styles; some felt the need to see the schools become more competitive with the other educational systems, etc. The new faces and the changes forced some of those former opponents of a new Board to re-think their position. Had it not been for the change in the Governor's office in 1970, the change in governance may have been delayed for several more years.

Another political decision affecting higher education was also being discussed and debated during this period. That was the second medical school issue. It became one of the most hotly debated questions ever to surface in Tennessee higher education circles.

Chapter 3

SECOND PUBLIC MEDICAL SCHOOL

One of the most controversial political decisions of the decade in Tennessee occurred in 1974 when the Legislature created the East Tennessee State University Medical School located in Johnson City (Public Acts, 1974, Chapter No. 502). Tennessee already had one publicly-supported medical school, the U.T. Center for the Health Sciences located in Memphis. The location of the U.T. medical school was part of the problem. Sectionalism has been an issue in Tennessee politics from the early development of the state. Because of the geographic situation, East, Middle, and West Tennesseans have always fought hard to gain their respective share of the state's favors. Over the years, East Tennesseans have felt neglected, believing that Middle and West Tennessee were by far the winners of the bounty at the State Capitol each year. They felt that Democratic Governors and the Democratically-controlled Legislature had spent the state's dollars in areas of the state which had traditionally voted Democratic.

Governor Winfield Dunn (R-1971-75) said that, whenever he was in either East Tennessee or West Tennessee, he always heard, "Well, we're feeding that old cow over here, but they're milking her in Nashville. I thought that was the only two-headed cow I had ever met, because I heard it in East Tennessee and in West Tennessee. I think that is a natural result of people being so far apart from the State Capitol."[88]

Another unusual aspect of the legislation was the kind of coalition it drew together as sponsors. There were upper East Tennessee Republicans and Middle and

West Tennessee Democrats who sponsored and voted for the bill. The issues that led eventually to such a strange aggregation are intriguing.

To discern why these circumstances evolved, it is necessary to review the events leading up to the establishment of the second medical school.

The Appalachian Center for the Healing Arts was formed in 1964. The president of the Center was Dr. Charles Allen, who ultimately became one of the prime movers behind establishing a medical school in upper East Tennessee. It was in the sixties when the idea of having a second medical school in that area began to be discussed. Dr. Allen said, "Doctors in this part of the state definitely feel that if a school were established in East Tennessee, our doctor shortage would be alleviated."[89] The distribution of physicians in the state was very poor, with the concentration of doctors located in the urban areas and the rural areas badly in need of doctors.

One of the first major studies done by the THEC after its creation was a medical study begun in 1969 and adopted by the THEC in December 1970. The study recommended:

1. The state should provide more adequate support to the University of Tennessee College of Medicine.

2. Tennessee should work toward a goal of having by 1980 a supply of physicians which is as good as the present national average.

3. Clinical training centers for senior medical students should be established in East Tennessee, first at the U.T. Memorial Hospital in Knoxville, second at Baroness Erlanger Hospital in Chattanooga, and later in hospitals in the Tri-Cities area.

4. The University of Tennessee College of Medicine should be expanded to admit 40 additional students per year and should limit out-of-state enrollment.

5. The state should contract with Vanderbilt University and Meharry Medical College to support the admission of ten additional Tennessee students per year at each school.[90]

As a result of this study, the state authorized the development of clinical training centers for senior medical students, interns, and residents at Knoxville, Tri-Cities, Chattanooga, and Jackson.

Discussions continued to be held by community and political leaders in the upper East Tennessee area about the need for a medical school to be located in the region so that the physician shortage would be solved. They were convinced that doctors would locate their practice in the area where they did their residency training. Further, they believed the influx of medical faculty and other resultant support staff and services would be a great economic boon for the area as well. John M. Jones recalled in a recent interview that people in East Tennessee believed that the medical school would be a source of economic improvement in Johnson City. He recalled that this idea was always a part of the presentation given by the proponents of the medical school.[91]

In 1971, the medical school movement was given substantial impetus when the Teague-Cranston Bill was passed in Washington. This bill ultimately provided for eight medical schools to be established in conjunction with VA hospitals and institutions of higher learning. Johnson City, with its VA Hospital at Mt. Home and with East Tennessee State University contiguous, was perfect for the concept. The bill provided that the federal government would provide most of the capital outlay costs and some operational costs for a six-year period. Congressman James Quillen of the First Congressional District seized the opportunity and co-sponsored the bill.

The Washington campaign led by Congressman Quillen had an uphill battle. Congressman Quillen remembers:

> The opponents of the school from Memphis and Knoxville lobbyed various officials in Washington urging the President not to sign the bill. One day I was in Elizabethton, and one of the President's top assistants called me and said that President Nixon was going to veto the Teague Bill. I told him how important it was, that I had worked two years on the bill, and even longer before it was ever introduced, to get a medical school for Johnson City. I also asked him to recall that the President had visited ETSU for a major talk, that a big crowd had turned out, and how much the President was impressed with the school, the area, and his visit. He went back to the President and called me minutes later and said that the President had agreed to sign the bill and invited me to come for the signing ceremony. The next day I flew to Washington and went to the White House. I had out advance news releases saying that the President had signed the bill. Donald Johnson, the VA Administrator, met me at the door and told me that the President wasn't going to sign the bill after all. I almost fell through the floor. The President's aide reassured me that he was going to sign it; that these other people just didn't know it. After signing the bill, the President gave me several pens used in the signing ceremony. Donald Johnson couldn't believe that the bill was signed until he looked at it and found the President's signature.[92]

Another crucial point in Washington for the medical school becoming a reality was related to the appropriations process. Again, Quillen recalls that instance:

> In January 1973, President Nixon sent his budget request to Congress. It did not contain funds to implement the Teague Bill. So I appeared before the HUD-Independent Agencies Subcommittee of the House Appropriations Committee and got the members to agree to add $20 million to the Second Supplemental Appropriations Bill, which passed the House and Senate and was signed into law by the President.[93]

Still another roadblock occurred when Roy Ash, the Director of the Office of Management and Budget, who was opposed to the medical school concept, refused to release the funds. This was during the period when the White House was impounding funds on a large number of projects across the country.

Congressman Quillen recalled recently how that obstacle was overcome:

> One powerful ally I had made in my struggle for the medical school was then-House Minority Leader Gerald Ford. I sold Ford on the medical school while we were traveling by plane to a fund-raiser in Johnson City. Jerry Ford went to bat for us. He called Ash, but Ash would not relent. Then, the OMB budget came before Congress, and it was in trouble because the impoundments had angered many Members. Ford asked me for help in passing the OMB budget, and I went to work on it. The measure passed by about five votes. Ford then called Ash on the West Coast and said, "Jim Quillen was responsible for more than five votes--if it had not been for him, your budget would not have passed." A few days later, I received a letter from Ash thanking me for the five votes which turned the tide for his measure, and he agreed to release the funds. Another hurdle was crossed.[94]

At the same time, several activities were occurring on the state scene. State Representatives P. L. Robinson, Robert Good, and Gwen Fleming and Senator Marshall Nave began to work in the Tennessee General Assembly to gain support for the establishment of a medical school in Johnson City. They wanted to get the school authorized by the General Assembly so they could qualify for the federal funds under the Teague-Cranston Act.

Groups from upper East Tennessee went to Nashville in September 1971 to press their case with Governor Dunn. They believed that with a Republican Governor in office for the first time in fifty years, it would be relatively easy to persuade him of their need. Governor Dunn listened, told them he understood what they wanted and why they felt it was needed. The main stated reason they gave for wanting a medical school was that they wanted more doctors in the Tri-Cities area because they had a physician shortage. The Governor promised he would give their request serious consideration.[95]

It is important to put this occurrence in the proper political context. East Tennessee is the strong Republican area of Tennessee dating back to the Civil War. Lee Smith, a native of Johnson City, currently publisher of The Tennessee Journal, and who was General Counsel to Governor Dunn, says:

> People who live in East Tennessee, and I come from Johnson City, and I've always felt this way, have always felt that they have never gotten their fair share of state dollars, particularly road monies and other public works monies. The interstate system was virtually complete in all Middle and West Tennessee before any of it was ever under construction east of Knoxville. I grew up in Johnson City, and when I came to school at Vanderbilt in 1960, there was no four-lane highway leading out of Johnson City in any direction. It is undeniably true that upper East Tennessee over the years was shortchanged in the amount of state dollars, particularly in public improvement projects.[96]

So this sentiment had been building for years. The citizens had reached the point that they thought it was time for the Governor, the Legislature, and the state government in general to do something for them. They had voted for Dunn in great numbers. So they reasoned that at long last here was a chance for a Republican Governor to finally make right by East Tennessee.

Governor Dunn really got involved in this issue personally. He learned that those who had looked at the question of depth, such as the THEC, the U.T. officials, and those who had conducted studies on the subject, were of the opinion that the best way to take care of the physician shortage problem was with the family practice and clinical centers located around the state. U.T. had considered building a second medical school at Knoxville a few years earlier but abandoned the idea because of limited state funds and the strong opposition from the University of Tennessee Center for the Health Sciences in Memphis.[97] Governor Dunn further learned that the doctor shortage was not just in upper East Tennessee but in all rural areas across Tennessee. So he soon became convinced

that the great body of informed opinion was to take the recommendations in the THEC study. Governor Dunn recently stated:

> I was made aware of the study done by the THEC before I had become Governor of Tennessee, which clearly pointed out that, on the best judgment the consultants could exercise, it was unfeasible and impractical to construct a second school of medicine. The reasons were legion, and they offered a sound and reasonable alternative to provide for clinical centers in various parts of the state which would answer the need. I believe that, as much as the need for physicians in that area, there was a need for political egos to be salved and for the people from that part of the state to believe they were legitimately important enough for the state to give them something. That is not necessarily to be criticized, it is perfectly natural. I do think you can criticize a lack of openmindedness to be able to make judgments on facts instead of on emotions.[98]

Meanwhile, the THEC opposed the school for Johnson City for several reasons. John Folger recalled some of the incidents surrounding that decision:

> The THEC had produced a study that was well done by the consultants. They spent a lot of time traveling the state and interviewing groups and individuals, as well as looking over the facilities. The study identified clearly what was happening to medical graduates. It outlined a plan to deal with problems of residencies in the primary care field. We did a lot of homework with John J. Hooker and Winfield Dunn in their 1970 campaign, not to try to inject the second medical school or its location into the campaign, but to help them understand the issue. We reviewed the study with many persons, such as the Commissioner of Public Health, etc. We felt the federal money was the carrot to get you in the game, but then the state had to carry the freight.[99]

Governor Dunn sent Folger to Washington to talk with Senators William Brock and Howard Baker. At that time (1970), Brock was opposed to the idea of the school, but Baker had made a commitment to keep the VA Hospital from being closed. Later, both Brock and Baker supported the school.[100]

Another reason the THEC opposed the school was that they believed the clinical centers and family practice residencies which had been established

across the state would alleviate the physician distribution problem. They thought that plan to be a superior one to a second free-standing medical school given the tax base of the state. Walter Armstrong said of the proposed school, "It was like getting a yacht for Christmas--it's nice, but not if you can't afford to run it."[101]

In November 1971, a large group of Tennessee Legislators were brought to Johnson City to see the facilities involved and to hear the "Johnson City Story." The funds to support that move were raised by The Citizens for Medical Advancement in Tennessee. The THEC was also invited to Johnson City to visit the facilities. Sarah Hawkins recalls that event:

> The THEC was invited to Johnson City to see the proposed site of the second medical school. The plans were elaborate. We were shown the Veterans Hospital property. We were told about the physician shortage--all facts were given--the funds from Washington would be so good. I began to think how fast that initial money would be gone. But that was the most determined group of people I have ever seen in my life. We held a series of hearings and heard from many large delegations on the subject. It was as if they thought the THEC was stupid that we could not see why they needed the school.[102]

Governor Dunn decided to commission another study to be done. This study was done by a three-man consultant team, headed by Dr. William Willard of the University of Kentucky. These consultants were approved by the East Tennessee medical school proponents. The Governor agreed to this approach because the East Tennesseans thought the THEC Report was U.T. dominated.[103] So the team traveled the state and considered the VA program, the Teague Bill, and all other aspects of the earlier study. Their recommendations were:

1. No second state-supported school should be built.

2. If there is a second school built, it should be at Knoxville and not at Johnson City.

When that report came out in January 1972, Lee Smith described the atmosphere:

> All hell broke loose. It was really about as big a political disruption as I have ever seen. In fact, I don't know of any other issue that I can recall in Tennessee in the last ten or twelve years where citizens got as emotionally involved in a project as did the upper East Tennesseans about the second state-supported medical school.[104]

So the political war between the East Tennessee Republicans and the Republican Governor was on. Governor Dunn adopted the position there should be no second medical school. He worked very hard to promote his position. The East Tennessee Legislators and Congressman Quillen worked equally as hard to see that there would be a medical school built in Johnson City. The battle went on for three years in the Legislature in Tennessee--1972, 1973, and 1974.

Governor Dunn went to Johnson City between sessions of the Legislature to debate the issue to try to resolve the problem. But the East Tennesseans were obsessed with having a free-standing medical school. Governor Dunn remembers that visit:

> I had been abused editorially by Carl Jones of the Johnson City Press-Chronicle. I had to make the decision; there was no getting around it. I weighed all the facts as best I could. I had to conclude that, while Tennessee at that time might have needed more physicians and while certain segments of our state certainly needed physicians that they were not attracting, there had to be a less expensive way for the people than to commit the state to those financial responsibilities. I believed the facility in Memphis should be maintained at an appropriate level of funding, and that was not being done.

> So I made my presentation to the people in Johnson City. I chose to do that rather than hold a press conference in Nashville because I wanted the people up there to know how totally sincere I was and how difficult it was for me not to please the most Republican part of the state. The people were courteous and nice like the people of East Tennessee are. They are warm, good, wonderful people. But this had become a cause, an absolute obsession for the people of a remote but very beautiful part of our state.
>
> I had to go there in person. It was obvious that there was more than simply an objective to get doctors. It had become a real crusade. The audience was cold in its response, but I don't blame them. If someone was telling me something I didn't want to hear, I wouldn't be enthusiastic either. I could have never been happy with myself if I hadn't gone up there to take that message to them in person.[105]

A third study was done and the results given in February 1974. This study was directed by Dr. William Harlan, Director of Clinical Scholars Program of Duke University. It was done through a contract with ETSU. The findings of this study suggested that a second medical school was feasible and outlined in detail how the school should be funded, staffed, and administered. The study contained three volumes entitled: The Plan, Consultants' Reports, and Facilities and Personnel. No fewer than twenty-four consultants were brought in from around the nation to review the facilities and examine the feasibility for a second medical school in the Johnson City area.[106] So this study became the blueprint for the proponents of the new medical school. It was one which finally resulted in findings which could be used by the advocates of the school.

The legislative fight continued to be intense. There probably have not been many political issues so wrought with emotion in recent years. Several other observers recently interviewed also agreed with Governor Dunn and Lee Smith that the citizens of the upper East Tennessee area were absolutely committed to having a medical school. Sarah Hawkins recalled attending a bank meeting in Johnson City during that time:

> At dinner, the man seated next to me said, "We're going to get a new medical school." I didn't want all those people to get their hopes up, so I told him I was a member of the THEC and that, based on the evidence we had seen so far, I didn't see how Tennessee could get another medical school because, for one thing, we could not afford it. He angrily shook his finger in my face and said, "I want to tell you right now, we're going to have a medical school, and you can bank on it."

Dr. D. P. Culp, who was President of the East Tennessee State University during the years of the medical school fight, said that the second medical school was the result of a grassroots movement.[108] John M. Jones of Greeneville remembered that he was initially in favor of a medical school for the area, but he became convinced after the various studies had been completed that it was the wrong decision for the state as a whole. He did not believe that two medical schools were feasible. He said that East Tennessee doctors who were prominent in their field would privately tell him that the school would be a mistake. Since he lived in the area, he received countless telephone calls and visits protesting his position. He finally stopped attending local dinners and social gatherings. As he put it, "It's hard to explain the results of three studies at a cocktail party." He said most East Tennesseans felt that the medical school opponents were being insensitive to the needs of the area.[109]

Governor Dunn also spoke of the determination of the East Tennesseans:

> All during that time, Dr. Culp and Palma Robinson were killing themselves going to and from Nashville, back to Johnson City, making those long miserable trips. Palma was the most distraught man I've ever seen. He was a gentleman--to my knowledge, a very nice, thoughtful, good man. But he was determined to do this for his constituents because that's what they wanted. Dr. Culp wanted it for whatever reason and so did many others.

Such strong support from the electorate of the area could not be ignored by the elected officials from that area. But the position the Governor took drove great wedges between him and a large section of the Republican Party. Certainly, the issue forced a breach between Governor Dunn and Congressman Quillen. Congressman Quillen recalls:

> In May 1971, Bays Mountain Park in Kingsport was opened, and Governor Dunn attended the opening of the Park and spoke. I rode back to the airport with Governor Dunn and told him about the hearings to be held in Washington on the Teague Bill and that there was a possibility of getting a medical school under that bill with 90% federal funds for a period of six or seven years. He said during that conversation, "Well, with federal funds, I could support it." He said, "I'll send somebody up to testify before the Committee." The hearings were held before the Committee. A group from Johnson City came. No one came from Nashville in support.[111]

Governor Dunn recalls that incident in the following way:

> During a tour of East Tennessee during my campaign, Congressman Quillen mentioned the medical school and his very positive interest in it. He has reminded me numerous times that I committed that I would support a medical school. If I did that, it was in profound naivete--in complete innocence. I probably did it in a state of euphoria or enthusiasm because I wanted to win that election, and I was with a Congressman who could help me. It wasn't that I wasn't sincere, but, if I did agree to help, it was in the most general sense that I would do whatever I could to help. Even the most basic elementary individual ought to realize a man of integrity could not commit himself or the resources of the people to anything he didn't know about. On that basis, I don't think the Congressman or anyone should believe a commitment was made.[112]

Lee Smith said, "Congressman Quillen and Governor Dunn had a parting of the ways on that issue and never talked again on other issues after that, as far as I know."

The Democrats in the Legislature were able to use the medical school issue for their own purposes in several ways.

First, they did not want the Republican Governor to have the opportunity to appoint three Justices to the Supreme Court, which he could do under the Missouri Plan* then in effect in Tennessee. Governor Dunn spoke recently about his Supreme Court appointments:

> My experience with the Supreme Court was not one of my better experiences. I had an opportunity to appoint a replacement because of a vacancy that occurred. I sought to appoint a Memphian, and that resulted in a lot of controversy. I finally appointed Justice Fones, but that was my only appointment up to that time. I was going to be given the opportunity to appoint three. My past record of appointments to the judiciary was such that there was no way they (the Democrats) could have assumed I would appoint all Republicans. I appointed Frank Drowota to a position in the judiciary, and Frank was a strong Democrat. I tried to make my judicial appointments based on merit. I didn't always succeed, but I tried. There were those determined I would not have the opportunity to appoint these Supreme Court Justices.
>
> Therefore, the trade began to materialize in their minds. Pretty soon, even Democrats from Memphis who normally would have been with Memphis on the question of the medical school decided to trade their votes and persuaded Republicans in East Tennessee who normally would have been very happy to protect me in my right to appoint members of the Supreme Court. That was the thing that galled and upset me. They were so blatant. They didn't eliminate the Modified Missouri Plan, they simply took out the Supreme Court Justices. They left the Court of Appeals under the Missouri Plan and just selectively, in the legislative swap, passed legislation which would remove the appointment of the Supreme Court Justices from the Missouri Plan and put them back into the General Election mode of candidates at large which automatically did two things. First, they reduced the potential for quality Justices because the Missouri Plan presents the potential for excellence. Secondly, they placed on candidates for the Supreme Court the onus of having to ask for campaign contributions to run a campaign and still ultimately be Justices above and beyond the influence of anything but the law. I find that incompatible.[113]

Second, the Democrats knew this issue was causing a split in the Republican Party, and the 1974 elections were coming up. There were those who believed the

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*Missouri Plan is a process of selection of judges whereby an appellate Judicial Commission made up of attorneys elected by the bar from each appellate court district including the Chief Justice of the Supreme Court present three nominees to the Governor from which he selects a judge to serve.

Democrats were uniting behind the bill to further the split in the Republican Party and add to Governor Dunn's problems in the First Congressional District.

Third, a veto override important to blacks, which they were trying to gain in exchange for their votes, was related to redistricting of the Eighth Congressional District. They wanted to override the bill Governor Dunn had vetoed which would have included more black voters in their hope of unseating Representative Dan Kuykendall of Memphis. The Johnson City Press-Chronicle carried a story in 1974 which included the following statement, "A key Democratic policy maker said privately that majority party leaders may 'gently suggest' that the blacks support the medical school override before they make any efforts to override Dunn's veto of the redistricting bill."

It is evident that both sides pulled out all the stops. The Governor used his influence as Chairman of the State Board of Regents. He contacted the members of the Board, all of whom he had appointed, and asked them to vote against a free-standing second medical school in their Board meeting. The vote was eight to seven against supporting a second medical school.

Governor Dunn said of the State Board of Regents contacts:

> I couldn't understand why people on that Board, all of whom I appointed, couldn't see it my way. I thought my logic was right, but, in addition to that, if there needed to be anything else to tip the scale, it would have been the fact that I appointed them to that Board. That always grieved me a little, but, on the other hand, I respect anybody who does something based on not political obligations but based on the facts. But I thought my facts were overwhelming.[114]

Several compromise positions were offered, and it finally came down to a disagreement between either a free-standing medical school (see Attachment 1) or

a joint medical operation between the University of Tennessee and East Tennessee State University (see Attachment 2), wherein a student would spend the first two years of medical training at UTCHS in Memphis and the last two years at ETSU in Johnson City. Governor Dunn recalls the compromise in the following way:

> We tried to compromise--keep the basic sciences in Memphis--then give them a degree based on two years of medical school at ETSU. This still would cost, but not as much--but the compromise didn't work.[115]

The Governor wanted to have the strength of the State Board of Regents and the THEC recommendations behind him on the compromise bill he planned to introduce in the Legislature. So, both the THEC and the State Board of Regents held meetings February 8, 1974 to discuss the alternatives for a second medical school. The State Board of Regents met first and adopted the proposed compromise plan. The THEC adopted the same plan later that day. (See Attachments 3 and 4.)

The Governor talked to many Legislators personally about the situation. He worked through some of his cabinet members to reach certain Legislators. He handled discussions with Legislators by calling on those he knew opposed him and those who were uncommitted:

> Each Legislator came in and I told them my situation, my feeling about what the future would be. I pointed out the results of the study and appealed--plead practically, for them to stay with me on that issue.[116]

Finally, the upper East Tennessee Legislators prevailed and the bill passed February 28, 1974, was vetoed by the Governor, and the veto overridden May 12, 1974 by the House of Representatives, following an earlier override by the Senate a week earlier. There were 51 yes and 37 no votes in the House. There were 38 Democrats and 13 Republicans who voted to override the Governor's veto; 11 of the

override votes were from West Tennessee, 26 from Middle Tennessee, and 14 from East Tennessee. Among the Democratic votes were practically all of the Democratic leadership in the House.[117]

It had been a long, bitter struggle for all concerned on both sides of the issue. Certainly there were many wounds left in the wake of such a long, hard political battle. An indication of the strong sentiment still felt by East Tennesseans after the veto override was expressed by reporter Henry Samples of the Johnson City Press-Chronicle in his March 13, 1972 article, "The boys from the mountains had put the 'mountains' on the map. The Governor, Knoxville, and Memphis had taken notice."

The early stages of getting the school off the ground was beset with delays because of continual problems. The initial VA inspection team turned down ETSU's proposal. The Tennessee Attorney General, following State approval of the medical school, ruled that VA Director Johnson's letter, which contained several contingencies, did not represent a firm commitment. He ruled that Tennessee could spend no more money on the medical school until a firm commitment was realized. Another letter re-affirming the VA's commitment was sent, and the Attorney General released the funds. Accreditation was denied in June and again in October of 1975. Dr. James Jewett resigned as dean of the medical school during this critical time for the school. Provisional accreditation was finally received in June 1978, and the first class was accepted in August 1978. Final accreditation is pending.

From a political standpoint, clearly the right thing for Governor Dunn would have been for him to support the school. He says:

> It would have been politically easier for me to recommend a second medical school. Even though UT opposed the second medical school, there wasn't too much enthusiasm displayed by Knoxville Legislators against it. I never felt I had much support from anybody. I think Tennessee would have just rolled over and forgiven me. I don't think I would have suffered any great political abuse. But I couldn't think of but one thing and that was, the tax base Tennessee was trying to operate on would not allow it.[118]

Upon reflection of the whole second medical school issue, Governor Dunn stated:

> The things that stand out in my mind are: going to Johnson City to make my statement, the effort to compromise, and the worst thing was the trade-off between the Democrats and Republicans on the Missouri Plan, which is what permitted the legislation to pass over my veto. One of the saddest things for a Tennessee governor is that it only requires a simple majority to override a veto.
>
> Another step that stands out in my mind is that after the override, the question of funds to initiate the project came up. The bill was brought to me, and I signed it, gladly, appropriating those first dollars which was in the budget of the school. Someone asked why I didn't let it become law without my signature. My response was--it was the desire of the people of the state, and, therefore, the Governor, whether he agreed or disagreed, had an obligation to sign such legislation and to be positive about it. If I had failed to sign it, it would have been a sour grapes approach. They had the medical school, and my hope was it would be the best in the world.[119]

This political decision was one which moved through the decision-making process practically unchanged from the original plan. While there were many obstacles and battles to overcome and several interests to be addressed, hardly any change was made to the original idea of a free-standing medical school for Johnson City. Although compromise was offered, the determination of the proponents not to compromise overcame that influence. The patience of the people from a part of the state which felt long overlooked and shortchanged had reached

its limit. That, coupled with the political goals of the Democratic Legislators to keep control by denying the Republican Governor an opportunity to "stack" the Supreme Court, enabled the plan to become a reality. These various objectives of the different groups brought together a very strange coalition of support between Democrats and Republicans in the Legislature.

CONCLUSION

These three decisions have had a significant impact upon every level of education and higher education in Tennessee. It appears that the three systems of higher education work in reasonable concert with each other, and clearly the current structure is an improvement over the former arrangement in several ways. The balance both educationally and politically for the institutions of higher education is more equitable than before. There is a balance of power among the groups who support the various institutions which have become a more effective voice politically for higher education in the state. There are more voices to project the higher education issues, funding, and planning needs than there were under the old system. There is also more cohesiveness and less chaos than before the changes.

The institutions of higher education, which previously were perceived as being the underdog politically and educationally, have been placed in a better position because of the creation of the SBR. Because of the creation of the THEC, there is a better approach to distribution of funds, there is long-range planning from a statewide perspective, and some order has been brought to the process.

The second medical school has just graduated its first class of twenty-two medical doctors. It remains to be seen just what the impact of this decision will be on the problem of distribution of physicians in the state. Without question, the impact of the cost of the school has already begun to be felt. A medical formula has been devised to assure equity in funding for the two state-supported medical schools.

The political teapot began to simmer as the various higher education problems appeared on the horizon. Then it began to boil as the interest groups persisted and the pressures intensified. Finally, the decisions were made due to the fact that enough interest was generated and substantial pressure was brought about to force consideration.

The first bills creating the THEC and the SBR were the result of compromise to accommodate some of those who would be impacted by the change. The changes would not have been politically feasible if there had not been a concentrated effort made to address interest group concerns.

The second medical school was not a compromise of the original idea to have a free-standing medical school located in Johnson City. It did require, however, like most political issues do, its proponents and opponents to organize and unify their forces to accomplish their purpose.

The power structure prior to the changes of the THEC and the SBR resided in a handful of powerful state officials and higher education administrators. Higher education grew so big in the fifties and sixties that the old power structure could not cope with the expansion.

So, a new, larger set of power structures evolved. From the old SBE came the new SBR with its new lay board members and staff. The creation of the THEC provided another lay board and staff for higher education that had not previously been on the scene. The second medical school provided yet another set of supporters to be taken into consideration by elected officials.

The power structure and alliances enlarged significantly creating a more desirable balance of power. Also, the new structure brought about by these three changes allowed many more people to become an important part of the political process.

Further, the changes enabled many more people to be involved in establishing and changing policy in higher education.

There are, of course, many issues and problems remaining which should be addressed.

When comparing state appropriations for higher education both nationally and regionally, Tennessee is still low. Also, Tennessee higher education is still on the largest receiving end when cuts and impoundments need to be made, as compared to K-12 and the rest of state government. For example, in the impoundment of 1980-81, higher education took a 41 percent rate of impoundment while receiving less than 20 percent of the total state appropriations.

The K-12 interest groups are still larger--parents, teachers, students, and many others connected with the 147 local boards of education, plus the strong Tennessee Education Association lobby is very effective. It has several thousand members. Some of their strongest supporters are among the leadership of the General Assembly.

Also, there is an area of higher education outside the reporting, coordinating, and data system of the rest of higher education--the area vocational schools. Because of this, there is a greater possibility for duplication and waste of state resources.

There needs to be improved coordination between K-12 and higher education institutions. The Southern Regional Education Board recently completed a study entitled, The Need for Quality, which points to the deficiency of coordination between elementary/secondary and postsecondary schools.[120]

While these issues and others remain, the timing and political atmosphere may not be conducive to addressing them at the current time. Moreover, as students, faculty members, and others within higher education become more involved in the political process, they will be able to bring about changes. In the past, many of these groups have not participated politically, and, until they mesh together into a true lobby, they will not effect changes. If the needs remain over a long period of time; if they continue to draw attention; if certain interest groups and officials continue to discuss and debate these needs; then changes may occur. Just as the other continuing problems in higher education have eventually been addressed and changes have been instituted in the political arena, so may the right person or group at the right time effectuate these changes and other changes as well.

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37. Ibid.

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39. John M. Jones, Personal Interview, 1982.

40. Sarah E. Hawkins, Personal Interview, March 15, 1982.

41. Walter M. Armstrong, Personal Interview, March 28, 1982.

42. Folger, Interview.

43. Humphreys, Interview.

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46. Boling, Interview.

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56. Probasco, Interview.

57. Toward A Stronger System of Higher Education, (Nashville: 1969) p. 16.

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ATTACHMENT I

Free-Standing Medical School Proposal

CHAPTER NO. 502

SENATE BILL NO. 1549

By Nave, Baker, Gillock, Garland, Thomas, Harvill, Motlow, Talarico, Roberson, Porter, Neal, Shacklett, Shadden

Substituted for House Bill No. 1736

By Robinson (Washington), Fleming (Sullivan), Daniels, McKinney, Crowell, Good, Denton, Hurley, Rogers, Bowman, Buck, Burnett, Robinson (Davidson), Ford (Cocke), Moore, Bewley, Hicks, Gill, Bailey, Bible, Burleson, Spoone, Atchley (Sevier), Webb, Miller (Carter), Hillis, Work, Melton, Dixon, DeBerry, Ford (Shelby), Anderson, Pickering, Murray (Franklin), Phillips, Corley, Richardson, Longley, Pruitt, Burks, Crocker, Powell, DePriest, Marshall, Garner, Ellis, Taylor, Clark, Fleming (Davidson), Lowe, Carter, B., Carter, W.L., Ramsey, Copeland, White, Darnell, Hopper, Love, Lashlee

AN ACT to authorize and establish a college of medicine at East Tennessee State University, to authorize and direct the Board of Regents for the State University and Community College System of Tennessee to cause its chancellor and the president of East Tennessee State University to apply to the Veterans Administration for aid under the provisions of Title I of Public Law 92-541, such application for aid being filed with guidelines provided by the plan prepared under provisions of Chapter 231 of the Public Acts of 1973, and to appropriate funds for operating the college in its initial year during the fiscal year beginning July 1, 1974.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The General Assembly finds the need for a second state supported medical college in the state and hereby authorizes and establishes under the direction and control of the Board of Regents for the State University and Community College System of Tennessee a college of medicine at East Tennessee State University.

SECTION 2. The Board of Regents of the State University and Community College System of Tennessee is hereby authorized and directed to cause its chancellor and the president of East Tennessee State University to apply to the Veterans Administration for aid under

provisions of Title I of Public Law 92-541 to help finance establishing and operating the College of Medicine at East Tennessee State University. In such application for aid, the plan prepared by East Tennessee State University Medical Education Study Committee under provisions of Chapter 231 of the Public Acts of 1973 shall serve as a guideline to the chancellor and president.

SECTION 3. To pay the costs for the first year of operation of the College of Medicine created by this act, there is hereby approprated to East Tennessee State University the sum of four hundred thousand dollars ($400,000) for the fiscal year beginning July 1, 1974. It is the express intent of the General Assembly that no funds appropriated under this section shall be made available unless and until aid from the Veterans Administration is approvd and granted under Title I of Public Law 92-541 to the college of medicine at East Tennessee State University. It is the further intent of the General Assembly that no funds appropriated under this section will be madeavailable unless every effort is made to assure that minority group students are included among those elected for admission to the college of medicine.

SECTION 4. It is the express intent of the General Assembly that no progrms presently funded by federal funds or grants at Meharry Medical School, Vanderbilt School of Medicine, or the University of Tennessee - Medical Units shall be discontinued or diminished in any way at each individual istitution by the establishment and operation of a collegof medicine at East Tennessee State University.

SECTION 5. This Act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: February 28, 1974

John S. Wilder,
SPEAKER OF THE SENATE

Ned R. McWherter,
SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED:

Winfield Dunn,
GOVERNOR

The Governor received Senate Bill No. 1549 on February 28, 1974 and returned the bill on March 6, 1974 with a veto message.

Pursuant to Article III, Section 18 of the Constitution of the State of Tennessee, the House of Representatives passed Senate Bill No. 1549 on March 12, 1974 the Governor's veto to the contrary notwithstanding.

The Senate passed Senate Bill No. 1549 on March 6, 1974 the Governor's veto to the contrary notwithstanding. Therefore, Senate Bill No. 1549 becomes a law.

ATTACHMENT 2

Governor Dunn's Compromise Proposal

Section 1: The General Assembly finds the need for a second state supported medical school in Tennessee and hereby authorizes and directs the establishment of a school of medicine at East Tennessee State University to be operated in cooperation with the University of Tennessee Medical Units.

Section 2: The president of East Tennessee State University is directed to develop a plan for the school with the assistance of the chancellor of the University of Tennessee Medical Units and is authorized to prepare and submit an application to the Veterans Administration for assistance in the establishment of this school of medicine under the provisions of Public Law 92-541, the Veterans Administration Medical School Assistance and Health Manpower Training Act of 1982.

Section 3: This school of medicine will emphasize the education of family physicians for practice in those areas of Tennessee where the physician shortage problem is most severe.

Section 4: The school of medicine authorized by section one of this act will be established whether or not assistance from the federal government is provided under Public Law 92-541, the Veterans Administration Medical School Assistance and Health Manpower Training Act of 1972. The sum of two hundred thousand dollars ($200,000) is hereby appropriated for the fiscal year beginning July 1, 1972, to be utilized in the establishment of the school provided for in this act. The commissioner of finance and administration is directed to reduce the amount of this appropriation by the amount of any assistance obtained from the federal government during the fiscal year beginning July 1, 1974.

ATTACHMENT 3

STATEMENT OF POLICY OF THE BOARD OF REGENTS
FOR THE STATE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM
FEBRUARY 8, 1974

The Board of Regents recognizes the need for an expansion of medical education opportunities in the state with the primary emphasis on training family practice physicians who will practice in the medically underserved areas of the state. Consistent with its action of December 7, 1973, the Board considers it essential that this need be met in a manner which will utilize present and future state resources most efficiently. The Board believes the effective use of available federal funds to meet this need is highly desirable and further believes that any expansion of medical education programs should be coordinated with the present medical education efforts of the state.

The Board has been presented the plans developed by Dr. William Harlan and Mr. Gary Dunn for the establishment of a free-standing medical school at East Tennessee State University. In addition, Dr. Edmund Pellegrino, Chancellor of the University of Tennessee Medical Units, has presented a proposal to the Board for the establishment of a school of medicine at East Tennessee State University to be operated cooperatively with the University of Tennessee Medical Units.

Without at this time supporting either of the two specific proposals presented today, the Board supports the concept of establishing a school of medicine at East Tennessee State University to be operated in cooperation with the University of Tennessee Medical Units.

The Board considers the following elements essential to the development and design of this cooperative school of medicine:

(1) the school of medicine at East Tennessee State University will emphasize the training of family practice physicians;

(2) the school of medicine at East Tennessee State University will be separately accredited and will offer an MD degree not previously available in this state;

(3) the total instructional program of the medical school at East Tennessee State University will be administered by the dean of the school under the direction of a coordinating council representative of the participating institutions and their governing boards; and

(4) the clinical training center currently being developed in Johnson City will be administered as a part of the school of medicine at East Tennessee State University by the dean of the school.

Within these general guidelines, the President of East Tennessee State University is directed to develop, in cooperation with the Chancellor of the Medical Units, the plans for establishment of a school of medicine at East Tennessee State University to be operated in a cooperative endeavor with the Medical Units. In the same manner, a proposal is to be developed for submission to the Veterans Administration, prior to its March 1 deadline for the receipt of such proposals, for assistance for this cooperative medical school under the provisions of the Veterans Administration Medical School Assistance and Health Manpower Training Act of 1972 (Public Law 92-541). The Chancellor of the State University and Community College System is authorized to review this proposal and to approve its formal submission to the Veterans Administration.

To facilitate the development of the plan and proposal for the cooperative medical school, the Board of Regents recommends that a task force be established to be composed of two members of this Board, two members of the University of Tennessee Board of Trustees, and one member of the Higher Education Commission who is mutually acceptable to the representatives of the governing boards.

ATTACHMENT 4

SPECIAL CALLED MEETING
TENNESSEE HIGHER EDUCATION COMMISSION
NASHVILLE, TENNESSEE
FEBRUARY 8, 1974

A special called meeting of the Tennessee Higher Education Commission was held in the Auditorium of the State Library and Archives Building, Nashville, Tennessee on February 8, 1974 beginning at 2:45 p.m. Attachment #1 of these minutes contains a list of those persons in attendance at this meeting.

Chairman Long presided over the meeting. Mr. Rainey opened the meeting with a prayer. Mr. Armstrong made the motion to approve the minutes of the last meeting (November 30, 1973) and Mrs. Myers seconded the motion. The motion carried.

Chairman Long indicated that the purpose of the special called meeting of the Commission was to discuss the principal alternatives for developing a medical school in Upper East Tennessee. Dr. Folger described briefly the two major approaches to the development of a medical school which has been proposed.

1. One of the alternatives proposed is to build a complete medical school at East Tennessee State University which would be eligible for partial funding during its development period by the Veterans Administration. This alternative has been proposed by the team of medical consultants employed by East Tennessee State University, under the chairmanship of Dr. William Harlan. Under this proposal, the medical school would admit 64 students for the purpose of training primary care physicians in a four year program with options for acceleration, if it is desirable. In addition, post-graduate residency programs in family medicine (18 residents per year) would be offered.

2. The second alternative which has been suggested is a joint medical school program operated by East Tennessee State University and the University of Tennessee

Medical Units, an approach which would also be eligible for partial funding by the Veterans Administration. This approach was developed by Dr. Edmund Pellegrino of the University of Tennessee Medical Units at the request of state officials. The medical school program would be integrated in such a way that students would be admitted to the program when they enter college and would be assured of entry to medical school upon satisfactory completion of a three year premedical program at East Tennessee State University. They would then attend the University of Tennessee Medical Units for two calendar years of basic science and part of the clinical training. They would return to East Tennessee State to complete their final year of clinical training and then move into the residency program for three years of specialization in family medicine. This alternative would provide for an admittance of 48 students per year for undergraduate medical study and 18 per year for the residency program. East Tennessee State would grant a Bachelor of Medicine degree at the end of four years study (i.e. at the end of three years premedical and the first clinical year). Then at the end of the second clinical year a joint degree of Doctor of Medicine would be given by both institutions.

In answer to a question by Mr. Rainey, Dr. Pellegrino indicated that similar joint medical programs are in operation in Northern Ohio where three institutions are cooperatively offering the program and in the city of New York where several institutions cooperate with the existing medical schools in the city to offer a program in medical study. He continued by saying that the plan provides for a way to increase the number of family practitioners. An advantage of the plan is the early selection or admission to medical school, and also it shortens the time from admittance to graduation. The first students could be admitted into the premedical program at East Tennessee State as early as the fall of 1974 or no later than the fall of 1975.

Chancellor Humphreys indicated that earlier the same day (February 8) the Board of Regents approved the cooperative approach to developing a medical school. (See Attachment #2) "To facilitate the development of the plan and proposal for the cooperative medical, the Board of Regents recommends that a task force be established to be composed of two members of this Board, two members of the University of Tennessee Board of Trustees, and one member of the Higher Education Commission who is mutaully acceptable to the representatives of the governing boards."

Representative P. L. Robinson stated that he felt that the people of East Tennessee would not accept the cooperative medical program gracefully and that as the result the program would have a hard time being developed. He also stated that he thought there was enough support in the legislature to pass a bill for a free-standing medical school. As the result, much division among the people will occur and then the Veterans Administration would not finance a school under these conditions.

Dr. Folger replied that the cooperative program cannot be successful unless everyone involved works together in a spirit of true cooperation. There certainly is a cost differential between the two alternatives, with the joint program costing much less than a free-standing medical school. Dr. Humphreys said that a cooperative plan must be developed by March 1 because that is the deadline set by the Veterans Administration.

Mr. Armstrong felt that a cooperative plan is the best plan which will give a rational basis for agreement and compromise for all parties involved. It will not be a cut-rate medical school, but one which is adequately financed in order that it will have a quality program.

Representative Robinson assured the members of the Commission that if a cooperative plan is approved by the Legislature that he and all the other legislators and the people of East Tennessee will cooperative to develop the medical school. Dr. Johnson also expressed the hope that all parties involved will cooperate and emphasized the point that the University of Tennessee will certainly enter into the plan with a spirit of cooperation.

Mr. Armstrong moved to concur with the recommendation of the Board of Regents as reflected in the policy statement of Chancellor Humphreys (Attachment #2). Mrs. Hawkins seconded the motion. Motion carried unanimously.

The meeting adjourned at 3:40 p.m.

Respectfully submitted,

Walter P. Armstrong, Secretary

John R. Long, Chairman

ATTENDANCE LIST FOR THE FEBRUARY 8, 1974 MEETING OF THE TENNESSEE HIGHER EDUCATION COMMISSION

Members of the Commission:

Mr. John R. Long, Chairman
Mr. Walter P. Armstrong
Mr. Glenn Rainey
Mrs. Roland Myers
Mrs. Richard Hawkins

Members of the Commission's Staff:

Dr. John K. Folger, Executive Director
Dr. Thomas F. Stovall
Mr. Jack Blanton
Dr. George Roberts
Mrs. Myra W. Robinson
Mrs. Yvonne Wood
Mr. Kenneth Barber
Mr. James Spillman

Guests:

University of Tennessee System:

Dr. Joseph Johnson
Dr. Edmund Pellegrino
Dr. T. A. Farmer
Dr. John Prados

Board of Regents System:

Chancellor C. C. Humphreys
Miss Ella V. Ross
Dr. D. P. Culp
Dr. Jerry Rust
Mr. Bill Miller
Dr. Hal Ramer

Others:

Members of the Press
Mr. Nyles Ayres
Representative P. L. Robinson
Dr. Charles Allen

"END OF DOCUMENT"